SCOTTISH STATUTORY INSTRUMENTS

# 2004 No. 268

# SOCIAL CARE

## Regulation of Care (Social Service Workers) (Scotland) Order 2004

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| *Made - - - -* | *7th June 2004* |
| *Laid before the Scottish Parliament - - - -* | *8th June 2004* |
| *Coming into force - -* | *1st August 2004* |

The Scottish Ministers in exercise of the powers conferred on them by section 44(1)(b) of the Regulation of Care (Scotland) Act 2001(**1**) and of all other powers enabling them in that behalf, and after consultation with the Scottish Social Services Council and such other persons and groups of persons as they consider appropriate in accordance with section 44(4) of that Act, hereby make the following Order:

### Citation, commencement and interpretation

**1.**—(1) This Order may be cited as the Regulation of Care (Social Service Workers) (Scotland) Order 2004 and shall come into force on 1st August 2004.

(2) In this Order "the Act" means the Regulation of Care (Scotland) Act 2001.

### Description of social service worker

**2.** For the purposes of section 44(1)(b) of the Act, the description of social service worker prescribed(**2**) is, subject to Article 3, a person who is–

(a) an employee of the Commission; and

(b) an authorised person within the meaning of sections 25 and 27 of the Act.

### Excluded persons

**3.** A person who is registered with or (as the case may be) is a member of one or more of the following bodies is excluded from the description of social service worker in Article 2–

(a) the General Social Care Council(**3**);

(**1**) 2001 asp 8 ("the Act").
(**2**) Section 77(1) of the Act defines "prescribed" as meaning "prescribed by order made by the Scottish Ministers".
(**3**) The General Social Care Council was established by section 54(1)(a) of the Care Standards Act 2000 (c. 14).