SCOTTISH STATUTORY INSTRUMENTS

2003 No. 587

SOCIAL CARE

The Regulation of Care (Scotland) Act 2001 (Transitional Provisions and Revocation) Order 2003

Made - - - -	*28th November2003*
Laid before the Scottish Parliament - - - -	*1st December2003*
Coming into force - -	*22nd December 2003*

The Scottish Ministers, in exercise of the powers conferred by section 80(2) of the Regulation of Care (Scotland) Act 2001(**1**), after consulting such persons or groups of persons as they consider appropriate in accordance with that section, hereby make the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Regulation of Care (Scotland) Act 2001 (Transitional Provisions and Revocation) Order 2003 and shall come into force on 22nd December 2003.

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

Transitional provisions

2.—(1) Where on 22nd December 2003 a person is providing a support service to which this article applies the service shall be treated for all purposes as if it had been registered under Part 1 of the Act on that date.

(2) Paragraph (1) shall cease to apply–

(a) where the person providing the service has before 22nd June 2004 made an application for registration of the service under section 7(1) of the Act, on 22nd December 2004; or

(b) in any other case, on 22nd June 2004.

(3) This article applies to a support service which provides personal care or personal support to a person ("the recipient") within the recipient's home, which is substantially the same as a service, activity or undertaking which was provided or carried on by that person immediately before that date.

(**1**) 2001 asp 8.