SCOTTISH STATUTORY INSTRUMENTS

2003 No. 205 (C. 9)

SOCIAL CARE

The Regulation of Care (Scotland) Act 2001 (Commencement No. 3 and Transitional Provisions) Order 2003

Made - - - - 19th March 2003

The Scottish Ministers, in exercise of the powers conferred by sections 81(2), (3) and (4) of the Regulation of Care (Scotland) Act 2001(**1**), hereby make the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Regulation of Care (Scotland) Act 2001 (Commencement No. 3 and Transitional Provisions) Order 2003.

(2) In this Order–

"the Act" means the Regulation of Care (Scotland) Act 2001; and

"the 2002 Order" means the Regulation of Care (Scotland) Act 2001 (Commencement No. 2 and Transitional Provisions) Order 2002(**2**);

Commencement of provisions of the Act

2. The following provisions of the Act shall come into force on 1st April 2003:–

(a) in section 2 (care services)

(i) subsection (1)(n);

(ii) subsection (7) so far as not already in force;

(iii) subsection (8); and

(iv) subsection (27); and

(b) section 8 (limited registration).

Transitional provisions

3.—(1) Where on 1st April 2003 a person is providing a care 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.

(**1**) 2001 asp 8.
(**2**) S.S.I 2002/162.

(2) Paragraph 1 shall cease to apply–

(a) where the person providing the service has before 1st October 2003 made an application for registration of the service under section 7(1) of the Act, on 1st April 2004; or

(b) in any other case, on 1st October 2003.

(3) This article applies to the following care services:–

(a) a child care agency other than one to which article 4(6) of the 2002 Order applies; and

(b) a housing support service,

which is substantially the same as a service, activity or undertaking which was provided or carried on by that person immediately before that date.

St Andrew's House, Edinburgh
19th March 2003

FRANCIS McAVEETY
Authorised to sign by the Scottish Ministers