SCOTTISH STATUTORY INSTRUMENTS

2002 No. 264

SOCIAL CARE

The Community Care (Disregard of Resources) (Scotland) Order 2002

Made - - - -	*5th June 2002*
Laid before the Scottish Parliament - - - -	*6th June 2002*
Coming into force - -	*1st July 2002*

The Scottish Ministers, in exercise of the powers conferred by sections 12(3A) and (3B) and 94(1) of the Social Work (Scotland) Act 1968(**1**) and of all other powers enabling them in that behalf, hereby make the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Community Care (Disregard of Resources) (Scotland) Order 2002 and shall come into force on 1st July 2002.

(2) In this Order–

"the 1948 Act" means the National Assistance Act 1948(**2**);

"the 2002 Act" means the Community Care and Health (Scotland) Act 2002(**3**);

"the Act" means the Social Work (Scotland) Act 1968;

"the Assessment Regulations" means the National Assistance (Assessment of Resources) Regulations 1992(**4**);

"deferred payment agreement" has the meaning given by section 6 of the 2002 Act (deferred payment of accommodation costs);

(**1**) 1968 c. 49; section 12(3A) and (3B) were inserted by the Community Care (Residential Accommodation) Act 1998 (c. 19), section 2 and substituted by the Community Care and Health (Scotland) Act 2002 (asp 5) ("the 2002 Act"), section 3; section 94(1) was amended by the Children and Young Persons Act 1969 (c. 54), Schedule 5, by the Children Act 1975 (c. 72), Schedule 4, Part I, by the National Health Service (Scotland) Act 1978 (c. 29), Schedule 16, paragraph 29(3), by the Mental Health (Scotland) Act 1984 (c. 36), Schedule 3, paragraph 17, by the National Health Service and Community Care Act 1990 (c. 19), Schedule 9, paragraph 10(14), by the Children (Scotland) Act 1995 (c. 36), Schedule 4, paragraph 15(28) and Schedule 5 and by the 2002 Act, schedule 2, paragraph 1(5). See the definition of "prescribed". The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(**2**) 1948 c. 29.

(**3**) 2002 asp 5.

(**4**) S.I. 1992/2977 was amended by S.I. 1993/964 and 2230, 1994/825, 1995/858 and 3054, 1996/602, 1997/485, 1998/497 and 1730 and S.S.I. 2001/6 and 138.