SCOTTISH STATUTORY INSTRUMENTS

2001 No. 447

SOCIAL WORK

The Community Care (Direct Payments) (Scotland) Amendment Regulations 2001

Made - - - -	*28th November 2001*
Laid before the Scottish Parliament - - - -	*29th November 2001*
Coming into force - -	*20th December 2001*

The Scottish Ministers in exercise of the powers conferred by section 12B(1)(b) and (6) of the Social Work (Scotland) Act 1968(**1**) and of all other powers enabling them in that behalf hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Community Care (Direct Payments) (Scotland) Amendment Regulations 2001 and shall come into force on 20th December 2001.

Amendment of the principal Regulations

2. The Community Care (Direct Payments) (Scotland) Regulations 1997(**2**) are amended by inserting in regulation 2(2) (persons to whom direct payments may be made) before sub-paragraph (b) the following:–

"(aa) who, in the case of a service under section 22(1) of the Children (Scotland) Act 1995(**3**) (promotion of welfare of children in need), is–

(i) a child in need aged less than 16 years, or

(ii) entitled to such a service in respect of a child in need, otherwise than as a parent of, or person having parental responsibility for, that child.".

(**1**) 1968 c. 49. Section 12B was inserted by the Community Care (Direct Payments) Act 1996 (c. 30), section 4 and amended by section 70 of the Regulation of Care (Scotland) Act 2001 (asp 8). 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**) S.I.1997/693 as amended by S.S.I. 2000/183.

(**3**) 1995 c. 36.