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*Changes to legislation:* There are currently no known outstanding effects for the Regulation of Care (Scotland) Act 2001, Paragraph 19. (See end of Document for details)

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### SCHEDULE 3 MINOR AND CONSEQUENTIAL AMENDMENTS

#### *Children (Scotland) Act 1995 (c.36)*

- 19 (1) The Children (Scotland) Act 1995 is amended as follows.
- (2) In section 36(3) (persons who must notify local authority where child provided with residential accommodation)—
- (a) sub-paragraph (ii), and the word “or” immediately preceding that sub-paragraph, are repealed; and
  - (b) after paragraph (c) there is added—
    - “; and
    - (d) any person providing a care home service (as defined by section 2(3) of the Regulation of Care (Scotland) Act 2001 (asp 8)).”
- (3) In section 38(1)(b) (short-term refuges for children at risk of harm)—
- (a) for the words from “carries on” to “that Act)” there is substituted “ provides a care home service (as defined by section 2(3) of the Regulation of Care (Scotland) Act 2001 (asp 8) ”;
  - (b) for the words “that establishment” there is substituted “ the accommodaton in question ”; and
  - (c) for the word “establishment”, where it occurs for the third, fourth, fifth and sixth times, there is in each case substituted “ accommodation ”.
- (4) In section 93(1) (interpretation of Part II of that Act), in the definition of “secure accommodation”—
- (a) after the word “approved” there is inserted “ by the Scottish Ministers in accordance with regulations made under section 29(9)(a) of the Regulation of Care (Scotland) Act 2001 (asp 8) or ”; and
  - (b) the words “section 60(1)(bb) of the Social Work (Scotland) Act 1968 or under” are repealed.

#### **Commencement Information**

- II** Sch. 3 para. 19 wholly in force at 1.4.2002, see s. 81(2)-(4) and [S.S.I. 2002/162](#), **art. 2(h)** (subject to [arts. 3-13](#))

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