



Regulation of Care (Scotland) Act 2001

2001 asp 8

PART 1

THE COMMISSION AND CARE SERVICES

Proposals and applications in relation to registered care services

17 Notice of Commission's decision under Part 1

- (1) If the Commission decides to grant unconditionally an application made under section 7 of this Act or to grant such application subject only to a condition which has been agreed in writing between the Commission and the applicant, it shall give the applicant notice of its decision.
- (2) A notice under subsection (1) above shall state the agreed condition.
- (3) If the Commission decides to implement a proposal in relation to which it has given a person a condition notice or a notice under section 15 of this Act, it shall give that person notice of the decision.
- (4) A notice under subsection (3) above shall—
 - (a) explain the right of appeal conferred by section 20 of this Act; and
 - (b) in the case of a decision to implement a proposal—
 - (i) in relation to which a condition notice has been given, state the condition as varied, the condition which is removed or (as the case may be) the additional condition imposed; or
 - (ii) of which notice has been given under subsection (1)(a) of section 15 of this Act, state the condition subject to which the application is granted.
- (5) Subject to subsection (6) below, a decision to implement a proposal in relation to which a condition notice has been given or of which notice has been given under subsection (1)(a) or (2) of the said section 15 shall not take effect—
 - (a) if no appeal is brought, until the period of fourteen days referred to in section 20(1) of this Act has elapsed; and
 - (b) if an appeal is brought, until that appeal is finally determined or is abandoned.

Status: Point in time view as at 01/04/2002. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Regulation of Care (Scotland) Act 2001, Section 17. (See end of Document for details)

- (6) Where the decision is to implement a proposal of which notice has been given under subsection (1)(a) of section 15 of this Act and the applicant notifies the Commission in writing, before the period of fourteen days referred to in section 20(1) of this Act has elapsed, that there will be no appeal, the decision shall take effect on receipt of that notification.

Commencement Information

II S. 17 wholly in force at 1.4.2002, see s. 81(2)-(4) and S.S.I. 2002/162, [art. 2\(e\)](#) (subject to [arts. 3-13](#))

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