



# Regulation of Care (Scotland) Act 2001

## 2001 asp 8

### PART 3

#### THE COUNCIL

##### *Registration*

#### **48 Right to make representations to Council as respects [<sup>F1</sup>decision under section 47]**

(1) A notice under section <sup>F2</sup>... 47 of this Act shall state that, within fourteen days after service of the notice, the person to whom it is given may make written representations to the Council concerning any matter which that person wishes to dispute.

[<sup>F3</sup>(2) Subject to subsections (3) and (4), a decision under section 47 of this Act takes effect at the end of the fourteen day period mentioned in subsection (1).

(3) Where—

- (a) the person to whom notice under section 47 was given makes such representations as are mentioned in subsection (1);
- (b) the Council, having considered the representations, confirms the decision mentioned in that section; and
- (c) no appeal is brought under section 51 of this Act,

the decision takes effect on the expiry of the fourteen day period mentioned in subsection (A4) of that section for bringing such an appeal.

(4) Where an appeal against a decision under section 47 is brought under section 51 (whether or not such representations as are mentioned in subsection (1) are also made), the decision takes effect only when the appeal is finally determined or abandoned.]

#### **Textual Amendments**

**F1** Words in s. 48 heading substituted (1.8.2010) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), [sch. 15 para. 5](#); S.S.I. 2010/221, art. 3(2), sch.

**F2** Words in s. 48(1) repealed (1.8.2010) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), [sch. 15 para. 4\(a\)](#); S.S.I. 2010/221, art. 3(2), sch.

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*Changes to legislation: There are currently no known outstanding effects for the Regulation of Care (Scotland) Act 2001, Section 48. (See end of Document for details)*

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**F3** S. 48(2)-(4) substituted for s. 48(2) (1.8.2010) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), [sch. 15 para. 4\(b\)](#); S.S.I. 2010/221, art. 3(2), sch.

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**Commencement Information**

**I1** S. 48 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](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation of Care (Scotland) Act 2001, Section 48.