



Regulation of Care (Scotland) Act 2001

2001 asp 8

PART 7

GENERAL

[^{F1}77] Interpretation

In this Act, unless the context otherwise requires—

“care service” has the meaning given by section 47(1) of the [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#);

“the Council” means the Scottish Social Services Council (which is constituted under section 43 of this Act);

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...

“enactment” has the meaning given by section 126(1) of the Scotland Act 1998 ([c.46](#));

“equal opportunities” and “equal opportunity requirements” have the same meanings as in Section L2 (equal opportunities) of Schedule 5 to the Scotland Act 1998;

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...

^{F2}
...

“local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 ([c.39](#));

“notice” means notice in writing;

“prescribed” means prescribed by order made by the Scottish Ministers;

“regulations” means regulations made by the Scottish Ministers;

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...

“social service worker” means a person, other than a person excepted from this definition by regulations, who—

- (a) has an entitling professional qualification in social work (that is to say a qualification which, if the person holding it also satisfies the requirements of subsection (2)(a) and (b) of section 46 of this Act and, except where section 46B of this Act applies, the requirements as to education imposed as mentioned in subsection (2)(c)(i) of that section, entitles that person

Changes to legislation: Regulation of Care (Scotland) Act 2001, Section 77 is up to date with all changes known to be in force on or before 22 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

to be registered in the part for social workers of the register maintained under section 44(1) of this Act); or

- (b) ^{F3} ...
- (c) not being a person mentioned in paragraph (a) or (b) above, is employed in the provision of (or in managing the provision of) a care service; or
- (d) being an employee of Social Care and Social Work Improvement Scotland, is an authorised person by virtue of section 56 of the Public Services Reform (Scotland) Act 2010;

“social worker” means a person described in paragraph (a) of the definition, above, of “social service worker”;

^{F2}
...

“voluntary organisation” means a body, other than a public or local authority, the activities of which are not carried on for profit.]

Textual Amendments

- F1** S. 77 substituted (1.4.2011) by [The Public Services Reform \(Scotland\) Act 2010 \(Consequential Modifications\) Order 2011 \(S.S.I. 2011/211\)](#), art. 1, **sch. 1 para. 9**
- F2** Words in s. 77 omitted (31.12.2020) by virtue of [The European Qualifications \(Health and Social Care Professions\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/593\)](#), reg. 1(2), **Sch. 9 para. 10(a)** (with reg. 12A, Sch. 9 Pt. 2) (as amended by S.I. 2020/1394, regs. 4, 17); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in s. 77 omitted (31.12.2020) by virtue of [The European Qualifications \(Health and Social Care Professions\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/593\)](#), reg. 1(2), **Sch. 9 para. 10(b)** (with reg. 12A, Sch. 9 Pt. 2) (as amended by S.I. 2020/1394, regs. 4, 17); 2020 c. 1, Sch. 5 para. 1(1)

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Changes and effects yet to be applied to :

- s. 77(1) words repealed by [2003 asp 13 Sch. 5 Pt. 1](#)
- s. 77(1) words substituted by [2003 asp 13 Sch. 4 para. 10\(a\)](#)
- s. 77(1) words substituted by [2004 asp 7 sch. 1 para. 3](#)
- s. 77(2) words repealed by [2003 asp 13 Sch. 5 Pt. 1](#)