

2003 No. 596 (C. 32)

SOCIAL CARE

**The Regulation of Care (Scotland) Act 2001 (Commencement
No. 4) Order 2003**

Made - - - -

3rd December 2003

The Scottish Ministers, in exercise of the powers conferred by sections 81(2) and (3) of the Regulation of Care (Scotland) Act 2001(a), hereby make the following Order:

Citation

1. This Order may be cited as the Regulation of Care (Scotland) Act 2001 (Commencement No. 4) Order 2003.

Interpretation

2. In this Order—

“the Act” means the Regulation of Care (Scotland) Act 2001.

Commencement of provisions

3.—(1) Sections 73(1)(a), 73(2), 73(3) and 73(4) of the Act shall come into force on 5th December 2003.

(2) Section 73(1)(b) of the Act shall come into force on 1st April 2004.

St Andrew’s House,
Edinburgh
3rd December 2003

EUAN M ROBSON
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force certain provisions of the Regulation of Care (Scotland) Act 2001 (“the Act”).

Article 3 provides that sections 73(1)(a), 73(2), 73(3) and 73(4) of the Act shall come into force on 5th December 2003, and 73(1)(b) of the Act on 1st April 2004. Section 73(1)(b), which amends section 29 of the Children (Scotland) Act 1995, obliges local authorities to formally assess the needs of persons formerly looked after by them, and to establish representation and complaints procedures for persons provided with after-care under section 29 of the 1995 Act. Section 73(2) empowers Scottish Ministers to make regulations in relation to these areas.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

1. The following provisions of the Act have been brought into force by the Regulation of Care (Scotland) Act 2001 (Commencement No. 1) Order 2001 (S.S.I. 2001/304):—

<i>Provision</i>	<i>Date of commencement</i>
Sections 5(1) and (2), 6, 24(1), 29, 30, 53 to 55, 63 to 65, 67, 71, 79 (partially), 80(3) and (4), and paragraphs 20 and 23(7) of schedule 3	1st October 2001
Section 70	20th December 2001

2. The following provisions of the Act have been brought into force by the Regulation of Care (Scotland) Act 2001 (Commencement No. 2 and Transitional Provisions) Order 2001 (S.S.I. 2002/162):—

<i>Provision</i>	<i>Date of commencement</i>
Section 2 subsections (1)(a) to (h), (l) and (m) (2) to (4), 5(a) and (b), (6), (9), (17) to (26) and (28)	1st April 2002
Section 2(5)(c) (partially)	
Section 2(7) (partially)	
Section 2(10) (partially)	
Sections 3, 5(3), 7, 9 to 23, 24(2) and (3), 25 to 27, 31, 32, 33(1)(c) and (2) to (4), 34 to 42, 44 to 51 and 72	
Section 79 (partially)	
Section 80(i) (partially)	
Paragraphs 1 to 3, 4(1) and (3), 5, 6, 7(11))(b), 8 to 19, 21, 23(1) to (6) and 25 of Schedule 3	

<i>Provision</i>	<i>Date of commencement</i>
Schedule 4 (partially)	

3. The following provisions of the Act have been brought into force by the Regulation of Care (Scotland) Act 2001 (Commencement No. 3 and Transitional Provisions) Order 2003 (S.S.I. 2003/205):—

<i>Provision</i>	<i>Date of commencement</i>
Section 2 subsections (1)(n), (8) and (27)	1st April 2003
Section 2(7) (so far as not already in force)	
Section 8	

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