
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 182

**The Healthcare Improvement Scotland (Requirements as
to Independent Health Care Services) Regulations 2011**

Fitness of managers

6.—(1) A person must not act as a manager in relation to an independent health care service unless the person is fit to do so.

(2) The following persons are unfit to act as a manager in relation to an independent health care service—

- (a) any person to whom regulation 5(2)(a) applies;
- (b) any person who has been convicted whether in the United Kingdom or elsewhere of any offence which is punishable by a period of not less than 3 months and has been sentenced to imprisonment (whether or not suspended or deferred) for any period without the option of a fine and who, in the reasonable opinion of the provider of an independent health care service, is unsuitable to be a manager in relation to that service;
- (c) a person who does not have the skills, knowledge and experience necessary for managing the independent health care service; and
- (d) a person who, in order to perform the duties for which the person is employed in the independent health care service, is required by any enactment to be registered with any person or body and is not so registered.