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SCOTTISH STATUTORY INSTRUMENTS

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**2015 No. 202**

**The Community Care (Provision of Residential Accommodation Outwith Scotland) (Scotland) Regulations 2015**

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Community Care (Provision of Residential Accommodation Outwith Scotland) (Scotland) Regulations 2015 and come into force on 24th June 2015.

(2) In these Regulations—

“the 1968 Act” means the Social Work (Scotland) Act 1968(1);

“the 2002 Act” means the Community Care and Health (Scotland) Act 2002;

“the 2003 Act” means the Mental Health (Care and Treatment) (Scotland) Act 2003(2);

“health authority” means—

(a) in relation to Scotland, the Health Board constituted under section 2(1)(a) of the National Health Service (Scotland) Act 1978(3);

(b) in relation to England, the clinical commissioning group established in accordance with Chapter A2 of Part 2 of the National Health Service Act 2006(4);

(c) in relation to Wales, the Local Health Board established under section 11 of the National Health Service (Wales) Act 2006(5); and

(d) in relation to Northern Ireland, a Health and Social Care Trust established under article 10 of the Health and Personal Social Services (Northern Ireland) Order 1991(6);

“health services” means—

(a) in relation to the Health Board in Scotland, services under the National Health Service (Scotland) Act 1978;

(b) in relation to the clinical commissioning group in England, services under the National Health Service Act 2006;

(c) in relation to the Local Health Board in Wales, services under the National Health Service (Wales) Act 2006; and

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- (1) 1968 c.49. Section 12 was amended by paragraph 15(11) of Schedule 4 to the Children (Scotland) Act 1995 (c.36); section 120(1) of the Immigration and Asylum Act 1999 (c.33); section 3 of the Community Care and Health (Scotland) Act 2002 (asp 5) and section 66(1) and paragraph 10(5) of Schedule 9 to the National Health Service and Community Care Act 1990 (c.19). Section 13A was amended by section 56 of the National Health Service and Community Care Act 1990; section 72(a) of the Regulation of Care (Scotland) Act 2001 (asp 8), paragraph 1(4) of Schedule 2 to the Community Care and Health (Scotland) Act 2002 (asp 5) and paragraph 1 of Schedule 2(1) S.S.I. 2011/211.
- (2) 2003 asp 13. Section 25 was amended by Schedule 1(1) paragraph 13(3) of the Public Services Reform (Scotland) Act 2010 (Consequential Modifications) Order, S.S.I. 2011/211.
- (3) 1978 c.29. Section 2(1)(a) was amended by paragraph 2(2) of Schedule 2 to the Smoking, Health and Social Care (Scotland) Act 2005 asp 13; section 14(2) and paragraph 1 of Schedule 7 to the Health and Social Services and Social Security Adjudications Act 1983 (c.41); paragraph 1(2)(a) of Schedule 1 to the National Health Service Reform (Scotland) Act 2004 asp 7 and section 28(a)(ii) of the National Health Service and Community Care Act 1990 (c.19).
- (4) 2006 c.41.
- (5) 2006 c.42.
- (6) 1991 No. 194 (N.I. 1). Article 10 was amended by sections 32 and 34(3) of and paragraphs 1(1) and 13(7) of Schedule 6 to the Health and Social Care (Reform) Act (Northern Ireland) 2009 (c.1).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (d) in relation to the Health and Social Care Trust in Northern Ireland, services under the Health and Personal Social Services (Northern Ireland) Order 1972<sup>(7)</sup>.

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<sup>(7)</sup> 1972 No. 1265 (N.I. 14).