STATUTORY INSTRUMENTS

1970 No. 705 (S.51)

LOCAL GOVERNMENT, SCOTLAND

The Rate Support Grant (Scotland) Amendment Regulations 1970

Made - - -	*5th May* 1970
Laid before Parliament	14*th May* 1970
Coming into Operation	16*th May* 1970

In exercise of the powers conferred on me by section 6(1) of and paragraph 1 of Part I of Schedule 1 to the Local Government (Scotland) Act 1966(**a**), and of all other powers enabling me in that behalf, and after consultation with such associations of local authorities as appear to me to be concerned, I hereby make the following regulations :—

1. These regulations may be cited as the Rate Support Grant (Scotland) Amendment Regulations 1970 and shall come into operation on 16th May 1970.

2.—(1) In these regulations any reference to "the principal regulations" is a reference to the Rate Support Grant (Scotland) Regulations 1967(**b**) as amended (**c**).

(2) The Interpretation Act 1889(**d**) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

3. In regulation 2(2) of the principal regulations—

(*a*) for the words "special educational treatment" there shall be substituted the words "special education" ;

(*b*) the definition of "voluntary home" shall be omitted ; and

(*c*) there shall be added at the end the following words :—

" "voluntary residential establishment" means an establishment managed by a voluntary organisation, or any other person not being a local authority, which provides residential accommodation for the purposes of the Social Work (Scotland) Act 1968(**e**), whether for reward or not."

4. In regulation 4 of the principal regulations—

(1) in paragraph (4)—

(*a*) the words "and approved" shall be omitted ;

(*b*) there shall be added after "1962" the words "as amended by paragraph 9 of Schedule 2 to the Education (Scotland) Act 1969"(**f**) ;

(2) for paragraph (5) there shall be substituted the following paragraph:—

"(5) the provision of education for pupils attending public school and residing in voluntary residential establishments, other than—

(**a**) 1966 c. 51. (**b**) S.I. 1967/715 (1967 II, p. 2162).

(**c**) The amending regulations are not relevant to the subject matter of these regulations.

(**d**) 1889 c. 63. (**e**) 1968 c. 49. (**f**) 1969 c. 49.

(*a*) children within the meaning of section 15 of the Social Work (Scotland) Act 1968 in the care of a local authority under that section ;

(*b*) children within the meaning of Part III of the Social Work (Scotland) Act 1968 subject to a supervision requirement under section 44(1) of that Act ; and

(*c*) pupils sent by an education authority to a voluntary residential establishment for the purpose of enabling them to attend a school where they will receive special education ;".

Provided that until section 44(1) of the said Act of 1968 comes into operation, the said paragraph (5) (as set out in this paragraph), shall have effect as if for sub-paragraph (*b*) thereof there were substituted the following sub-paragraph :—

"(*b*) children or young persons within the meaning of the Children and Young Persons (Scotland) Act 1937(**a**) committed to the care of a local authority as a fit person under that Act and remaining in their care ;".

(3) for paragraph (9) there shall be substituted the following paragraph :—

"(9) the exercise of any of the functions specified in subsection (1) of section 86 of the Social Work (Scotland) Act 1968 in respect of a person determined by the Secretary of State under subsection (2) of that section to have no ordinary residence."

William Ross,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.
5th May 1970.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations amend existing Regulations dealing with the pooling of expenditure, incurred by certain local authorities, among all authorities by means of adjustments to rate support grants. Pooling arrangements will now extend to the provision of accommodation and certain other social work services for persons of all ages instead of to the provision only of certain services for children. Certain minor amendments are made in consequence of recent legislation.

(**a**) 1937 c. 37.

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