STATUTORY INSTRUMENTS

1971 No. 249 (S.40)

SOCIAL WORK, SCOTLAND

Residential Establishments (Payments by Local Authorities) (Scotland) Order 1971

Made - - - 8*th February* 1971

Coming into Operation 15*th April* 1971

In exercise of the powers conferred upon me by paragraph 2(2) of Schedule 7 to the Social Work (Scotland) Act 1968(a) and of all other powers enabling me in that behalf, I hereby make the following order :—

Citation and commencement

1. This order may be cited as the Residential Establishments (Payments by Local Authorities) (Scotland) Order 1971 and shall come into operation on 15th April 1971.

Interpretation

2.—(1) In this order "the Act" means the Social Work (Scotland) Act 1968.

(2) The Interpretation Act 1889(b) applies for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

Rate of payment

3. Every local authority to whom functions in relation to establishments which immediately before the commencement of Part III of the Act were approved schools are transferred by virtue of section 1(5) of the Act, shall, in relation to those establishments, make payments to the managers thereof in respect of the expenses of carrying on the establishments at the rate of £16·80 per week in respect of every child who is required by an approved school order or by a supervision requirement to reside therein :

Provided that no such payment shall be made in respect of any such child—

(*a*) in relation to any period consisting of more than 14 consecutive days during which the child is, free of charge to the managers of the establishment wherein he is so required to reside, a patient in a hospital provided under Part II of the National Health Service (Scotland) Act 1947(c) ; or

(a) 1968 c. 49.
(b) 1889 c. 63.
(c) 1947 c. 27.

(*b*) in relation to any period consisting of more than 14 consecutive days during which the child was absent from the establishment wherein he is so required to reside without the approval of the managers thereof.

Gordon Campbell,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.
8th February 1971.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order prescribes the weekly payments of £16·80 to be made by local authorities in respect of the expenses of carrying on the establishments which were approved schools immediately before the commencement of Part III of the Social Work (Scotland) Act 1968 and in relation to which functions were transferred to local authorities under section 1(5) of that Act.