



Regulation of Care (Scotland) Act 2001

2001 asp 8

PART 2

LOCAL AUTHORITY ADOPTION AND FOSTERING SERVICES ETC.

33 Local authority applications for registration under Part 2

- (1) A local authority who seek to provide—
 - (a) an adoption service mentioned in subsection (11)(a) of section 2 of this Act;
 - (b) a fostering service mentioned in subsection (14)(a) or (c) of that section; or
 - (c) any other care service if it is a service which the authority determine they must provide in order to fulfil a statutory duty,shall make an application to the Commission for registration of the service.
- (2) An application shall be made in such manner and give such information as may be prescribed; and, without prejudice to subsection (1)(b) of section 24 of this Act, shall be accompanied by the fee imposed under subsection (2)(a) of that section.
- (3) Where in relation to an application under subsection (1)(c) above the Commission does not agree with the determination made by the authority, it shall so notify the authority and the Scottish Ministers, giving its reason for not so agreeing.
- (4) On receiving notification under subsection (3) above, the Scottish Ministers shall state whether or not, in their opinion, the determination of the authority is justified; and if their statement is that the determination is not justified, the application shall be taken to have been duly made not under this section but under section 7 of this Act and shall be dealt with accordingly.