



Regulation of Care (Scotland) Act 2001

2001 asp 8

PART 3

THE COUNCIL

Appeal

51 Appeal against decision of Council

- (1) A person given notice under [^{F1}subsection (2) of section 50 of this Act of a decision mentioned in that subsection] may, within fourteen days after that notice is given, appeal to the sheriff against the decision.
- (2) On such an appeal the sheriff may—
 - (a) confirm the decision; or
 - (b) direct that it shall not have effect.
- (3) The sheriff shall also have power, on such an appeal—
 - (a) to vary any condition which, by virtue of section 46 of this Act, is in force in respect of the person;
 - (b) to direct that any such condition shall cease to have effect; or
 - (c) to direct that a condition which the sheriff thinks fit to impose shall have effect in respect of the person.

Textual Amendments

- F1** Words in s. 51(1) substituted (17.10.2005) by [Smoking, Health and Social Care \(Scotland\) Act 2005](#) (asp 13), **ss. 30(5)**, 43(3); S.S.I. 2005/492, art. 3(a), sch. 1

Commencement Information

- I1** S. 51 wholly in force at 1.4.2002, see s. 81(2)-(4) and [S.S.I. 2002/162](#), **art. 2(e)** (subject to [arts. 3-13](#))

Status:

Point in time view as at 17/10/2005. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Regulation of Care (Scotland) Act 2001, Section 51.