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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 631**

**ADULTS WITH INCAPACITY**

**The Adults with Incapacity (Countersignatories  
of Applications for Authority to Intromit)  
(Scotland) Amendment Regulations 2005**

*Made* - - - - *8th December 2005*  
*Laid before the Scottish*  
*Parliament* - - - - *9th December 2005*  
*Coming into force* - - *1st February 2006*

The Scottish Ministers, in exercise of the powers conferred by section 26(1)(c) of the Adults with Incapacity (Scotland) Act 2000(1) and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Adults with Incapacity (Countersignatories of Applications for Authority to Intromit) (Scotland) Amendment Regulations 2005 and shall come into force on 1st February 2006.

**Amendment of the Adults with Incapacity (Countersignatories of Applications for Authority to Intromit) (Scotland) Regulations 2001**

2.—(1) The Adults with Incapacity (Countersignatories of Applications for Authority to Intromit) (Scotland) Regulations 2001(2) are amended in accordance with the following paragraphs.

(2) In regulation 2 (interpretation)—

(a) after the definition of “councillor” insert—

““dental practitioner” has the same meaning as in section 108(1) of the National Health Service (Scotland) Act 1978(3);”;

(b) after the definition of “registered European lawyer” insert—

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(1) 2000 asp 4. See section 87(1) for the definition of “prescribed”.  
(2) S.S.I. 2001/78.  
(3) 1978 c. 29.

““registered health professional” means any person who is registered under the Health Professions Order 2001(4) as a chiroprapist, occupational therapist, physiotherapist, or speech and language therapist;

“registered optometrist” means a person registered in the register maintained by the General Optical Council under section 7(a) of the Opticians Act 1989(5);

“registered dispensing optician” means a person registered in the register maintained by the General Optical Council under section 7(b) of the Opticians Act 1989;

“registered pharmaceutical chemist” has the same meaning as in section 24(1) of the Pharmacy Act 1954(6);

“social worker” has the same meaning as in section 77(1) of the Regulation of Care (Scotland) Act 2001(7);”.

(3) In the Schedule (classes of persons who may countersign an application)–

(a) after “Constables of a police force” insert–

“Dental practitioners

Registered dispensing opticians”;

(b) after “Registered European Lawyers” insert “Registered health professionals”;

(c) after “Registered medical practitioners” insert–

“Registered optometrists

Registered pharmaceutical chemists”;

(d) after “Registered nurses” insert–

“Social workers”.

St Andrew’s House, Edinburgh  
8th December 2005

*HUGH HENRY*  
Authorised to sign by the Scottish Ministers

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(4) S.I.2002/254.  
(5) 1989 c. 44.  
(6) 1954 c. 61.  
(7) 2001 asp 8.

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Adults with Incapacity (Countersignatories of Applications for Authority to Intromit) (Scotland) Regulations 2001 to include further classes of persons who may countersign an application made under section 26 of the Adults with Incapacity (Scotland) Act 2000.