

SCHEDULE 2

ISSUE FEES FOR TELEVISION LICENCES

PART II

DEFINITIONS FOR PURPOSES OF ENTRY 5 IN PART I OF THIS SCHEDULE

Scotland

3. In this Schedule in relation to Scotland—

“accommodation for residential care” means, subject to paragraph 8 below, either—

- (a) any establishment the sole or substantial function of which is, or is held out to be, the provision of accommodation, whether for reward or not, for disabled persons, mentally disordered persons or retired persons of pensionable age and which—
 - (i) is provided by a local authority under sections 12, 13A, 13B and 59 of the Social Work (Scotland) Act 1968⁽¹⁾, or section 7 of the Mental Health (Scotland) Act 1984⁽²⁾; or
 - (ii) is carried on by a person who is duly registered in respect thereof under section 62 or 63 of the Social Work (Scotland) Act 1968; or
 - (iii) is, or in respect of which the person carrying on the establishment is, not required to be registered under section 62 or 63 of the Social Work (Scotland) Act 1968 by virtue of section 61; or
 - (iv) is carried on by a person who is duly registered in respect thereof under the Nursing Homes Registration (Scotland) Act 1938⁽³⁾ or who would be so registered but for section 10(3)(a) of that Act; or under section 12 of the Mental Health (Scotland) Act 1984; or
- (b) a group of specially provided dwellings in which the dwellings which satisfy the requirements of paragraph 1(b)(i) to (iii) are dwellings which are provided or managed—
 - (i) under Part 1 of the Housing (Scotland) Act 1987⁽⁴⁾; or
 - (ii) by a housing association within the meaning of the Housing Associations Act 1985; or
 - (iii) by a development corporation within the meaning of the New Towns (Scotland) Act 1968⁽⁵⁾; or
 - (iv) by Scottish Homes within the meaning of the Housing (Scotland) Act 1988⁽⁶⁾;

“mentally disordered person” means a person who is suffering from any mental disorder within the meaning of the Mental Health (Scotland) Act 1984;

“pensionable age” has the same meaning as in Schedule 4 to the Pensions Act 1995; and

“a right to buy dwelling” is a dwelling owned by a person who bought it in exercise of his right to buy under Part III of the Housing (Scotland) Act 1987 or any successor in title of such a person.

(1) 1968 c. 49
(2) 1984 c. 36.
(3) 1938 c. 73 which has been amended by Schedule 4 to the Health Services Act 1980 (c. 53).
(4) 1987 c. 26.
(5) 1968 c. 16.
(6) 1988 c. 43.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*