Health and Sport Committee

2nd Report, 2014 (Session 4)

Report on Subordinate Legislation

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Health and Sport Committee

Remit and membership

Remit:
To consider and report on health policy, the NHS in Scotland, anti poverty measures, equalities, sport and other matters falling within the responsibility of the Cabinet Secretary for Health, Wellbeing and Cities Strategy apart from those covered by the remit of the Economy, Energy and Tourism Committee.

Membership:
Bob Doris (Deputy Convener)
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Colin Keir
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Myer Cohen

Committee Assistant
Bryan McConachie
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The Committee reports to the Parliament as follows—

1. The draft Social Care (Self-directed Support) (Scotland) Act 2013 (Consequential and Saving Provisions) Order 2014 was laid before the Parliament on 18 February 2014. The instrument is subject to the affirmative procedure.

2. This Order makes modifications in consequence of the Social Care (Self-directed Support) (Scotland) Act 2013 (“the 2013 Act”). Section 25 of the 2013 Act repeals section 12B of the Social Work (Scotland) Act 1968 (“the 1968 Act”) which make provision in relation to direct payments in respect of community care services. New provision for direct payments is made in the 2013 Act. Article 2 and the Schedule repeal, revoke and amend enactments contained in primary and secondary legislation in consequence on the repeal of section 12B of the 1968 Act and the new provision for direct payments in the 2013 Act. Article 3 contains a saving provision so that the enactments specified in the Schedule continue to apply without modification in relation to any payments which are made under section 12B of the 1968 Act after 1st April 2014.

3. At its 8th meeting 2014, held on 11 March, the Health and Sport Committee considered the Order.

4. The Committee noted that the Delegated Powers and Law Reform Committee had not made any comments on the instrument.

5. The Committee took evidence on the instrument from the Minister for Public Health.

6. The Minister for Public Health moved motion S4M-09254—

That the Health and Sport Committee recommends that the Social Care (Self-directed Support) (Scotland) Act 2013 (Consequential and Saving Provisions) Order 2014 [draft] be approved.

The motion was agreed to.
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