



# Community Care and Health (Scotland) Act 2002

2002 asp 5

## COMMUNITY CARE AND HEALTH (SCOTLAND) ACT 2002

### PART 1

#### COMMUNITY CARE

##### *Charging and not charging for social care*

- 1 Regulations as respects charging and not charging for social care

##### *Accommodation*

- 2 Accommodation provided under 1968 Act etc.
- 3 Disregarding of resources when determining whether to make available assistance by providing residential accommodation
- 4 Accommodation more expensive than usually provided
- 5 Local authority arrangements for residential accommodation outwith Scotland
- 6 Deferred payment of accommodation costs

##### *Direct payments*

- 7 Direct payments

##### *Carers*

- 8 Amendment of 1968 Act: matters to be taken account of in assessment of needs
- 9 Amendment of 1968 Act: assessment of ability to provide care etc.
- 10 Amendment of 1995 Act: matters to be taken into account in assessment of needs of child affected by disability
- 11 Amendment of 1995 Act: assessment of ability to provide care for disabled child etc.
- 12 Carer information strategies

*Changes to legislation: Community Care and Health (Scotland) Act 2002 is up to date with all changes known to be in force on or before 13 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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## PART 2

### JOINT WORKING ETC.

- 13 Payments by NHS bodies towards certain local authority expenditure
- 14 Payments by local authorities towards expenditure by NHS bodies on prescribed functions
- 15 Delegation etc. between local authorities and NHS bodies
- 16 Transfer of staff
- 17 Scottish Ministers' power to require delegation etc. between local authorities and NHS bodies

## PART 3

### HEALTH

#### *Health Boards' lists*

- 18 Services lists and supplementary lists
- 19 Representations against preferential treatment

#### *Miscellaneous*

- 20 Amendment of Road Traffic Act 1988 and Road Traffic (NHS Charges) Act 1999: payment for treatment of traffic casualties
- 21 Amendment of 1978 Act: schemes for meeting losses and liabilities etc. of certain health bodies

## PART 4

### GENERAL

- 22 Interpretation
- 23 Regulations
- 24 Transitional provisions etc.
- 25 Minor and consequential amendments and repeals
- 26 Guidance and directions
- 27 Short title and commencement

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#### SCHEDULE 1 — Social care not ordinarily charged for

- 1 As regards the personal hygiene of the person cared for—...
- 2 As regards eating requirements, the preparation of, or the provision...
- 3 If the person is immobile or substantially immobile, dealing with...
- 4 If the person requires medical treatment, assisting with medication, as...
- 5 With regard to the person's general well-being—

#### SCHEDULE 2 — Minor and consequential amendments and repeals

- 1 *Social Work (Scotland) Act 1968 (c.49)*
- 2 *National Health Service (Scotland) Act 1978 (c.29)*
- 3 *National Health Service (Primary Care) Act 1997 (c.46)*
- 4 *Health Act 1999 (c.8)*

**Changes to legislation:**

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[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- s. 5 title substituted by [2014 c. 23 Sch. 1 para. 10\(2\)](#)
- s. 5(1) words inserted by [2014 c. 23 Sch. 1 para. 10\(2\)](#)
- s. 22(1) words repealed by [2004 asp 7 sch. 2](#)