

**Carers (Scotland) Act 2016 – Implementation Steering Group  
2 October 2017**

**Regulations Update**

The following summary table provides an update on the status of the secondary legislation being prepared for Carers Act implementation.

Of those statutory instruments yet to be made, the intention is to prioritise the Public Bodies (Joint Working) (Prescribed Functions) Regulations to assist local areas in updating of schemes of local integration. These and the other regulations yet to be made will be scheduled in time to take effect on 1 April 2018.

The only exception to this is the regulations setting timescales for adult carer support plans and young carer statements for carers of terminally ill persons. A study is currently underway to inform the development of these regulations later in 2018.

<b>Scottish Statutory Instrument</b>	<b>Purpose</b>	<b>Status</b>
The Carers (Scotland) Act 2016 (Commencement No. 1) Regulations 2017	Brings into effect consequential amendments to update legal references in the Public Bodies (Joint Working) (Scotland) Act 2014.	Passed
The Carers (Scotland) Act 2016 (Commencement No. 2 and Savings Provision) Regulations 2017	Brings into effect remaining provisions of the Carers Act in time for local eligibility criteria to be set from 1 October 2017; and for guidance and regulations to be made before the main provisions of the Act to come into effect on 1 April 2018.	Passed
The Carers (Scotland) Act 2016 (Agreements of a Specified Kind) Regulations 2017	Ensures that a kinship carer agreement with a local authority does not exclude someone from being seen as a carer under the Act (as long they meet the other requirements of the definition).	Passed
The Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Amendment Regulations 2017	Adds the responsibility for setting local eligibility criteria to the list of functions that must be delegated to Integrated Joint Boards.	Passed

The Carers (Scotland) Act 2016 (Prescribed Days) Regulations 2017	Sets 1 October 2017 as the start of the 6 month period for setting local eligibility criteria and sets the period for their first review at three years after publication.	Before Parliament
<b>Scottish Statutory Instrument</b>	<b>Purpose</b>	<b>Status</b>
The Carers (Scotland) Act 2016 (Review of Adult Carer Support Plans and Young Carer Statements) Regulations 2017	To set out those circumstances which must always lead to a review of Adult Carer Support Plans and Young Carer Statements.	Consultation just closed.
The Carers (Scotland) Act 2016 (Short Breaks Services Statements) Regulations 2017	To require certain information to be included in short breaks services statements, and to set out when and how the statements are to be published and reviewed.	Consultation just closed.
<i>Further Public Bodies (Joint Working) (Prescribed Functions) Regulations</i>	To set out those remaining Carers Act duties to be added to the list of functions that must be delegated to Integrated Joint Boards.	Being developed.
The Carers (Scotland) Act 2016 (Transitional Provision) Order 2017	To set out how the duties under the Carers Act should apply to carers already assessed and receiving support.	Being developed.
<i>Waiving of charges regulations</i>	Technical - To update the legal references in the Carers (Waiving of charges for support) (Scotland) Regulations 2014 to take account of the Carers Act.	Being developed.
<i>Self directed support regulations</i>	Technical - To update the legal references in the Self Directed Support (Direct Payments) (Scotland) Regulations 2014 to take account of the Carers Act.	Being developed.
<i>Carers of terminally ill persons regulations.</i>	To set timescales for the preparation of adult carer support plans and young carer statements for carers of terminally ill persons.	To be developed later in 2018.

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Scottish Government  
September 2017