

**CHAPTER 109**  
**CARE HOMES: EMERGENCY INTERVENTION ORDERS**

**Interpretation and application of this Chapter**

**109.1.**—(1) In this Chapter—

“the 2010 Act” means the Public Services Reform (Scotland) Act 2010 as modified by paragraph 17 (emergency intervention orders) of schedule 1 of the Coronavirus (Scotland) (No.2) Act 2020<sup>(1)</sup>;

“emergency intervention order” has the meaning given by section 65A(2) (care homes: emergency intervention orders) of the 2010 Act;

(2) This Chapter applies in relation to applications made under section 65A of the 2010 Act.

**Applications under section 65A of the 2010 Act**

**109.2.**—(1) An application for an emergency intervention order under section 65A(1) of the 2010 Act must be made by petition.

(2) An interim order under section 65A(3) of the 2010 Act must be sought by prayer in the petition for the emergency intervention order.

(3) An application under section 65A(13) of the 2010 Act for variation, extension or revocation of an emergency intervention order must be made by note in the process for the emergency intervention order to which it relates.

(4) An application under section 65A(14) of the 2010 Act for variation or recall of an interim order granted under section 65A(3) of that Act must be made by motion.

---

<sup>(1)</sup> The Public Services Reform (Scotland) Act 2010 (asp 8) (“the 2010 Act”) was modified by paragraph 17 of schedule 1 of the Coronavirus (Scotland) (No.2) Act 2020 (asp 10) (“the 2020 Act”) to have effect as if after section 65 of the 2010 Act there were inserted the section 65A as narrated in paragraph 17(2) of schedule 1 of the 2020 Act.