



Public Services Reform (Scotland) Act 2010 2010 asp 8

PART 5

SOCIAL CARE AND SOCIAL WORK: SCRUTINY AND IMPROVEMENT

CHAPTER 3

CARE SERVICES

[^{F1}Care homes: emergency directions

[^{F1}63A Emergency power to direct care home service during coronavirus pandemic

- (1) A Health Board may, if the condition in subsection (2) is met, direct a person who provides a care home service registered under this Chapter at specified accommodation in the Board's area to take such steps as may be specified within such period as may be specified.
- (2) The condition is that the Health Board considers that, for a reason relating to coronavirus, there is a material risk to the health of persons at the specified accommodation.
- (3) The specified steps must relate directly to reducing the risk to the health of persons at the specified accommodation (for example, by requiring specified cleaning to take place).
- (4) A Health Board must have regard to any guidance issued by the Scottish Ministers in relation to the exercise of its functions under this section.
- (5) The Scottish Ministers must publish any guidance that they issue under this section in such manner as they consider appropriate.
- (6) The power under subsection (1) to give a direction includes the power to vary or revoke an earlier direction under that subsection.

Status: Point in time view as at 27/05/2020. This version of this provision has been superseded.

Changes to legislation: Public Services Reform (Scotland) Act 2010, Section 63A is up to date with all changes known to be in force on or before 13 August 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)

- (7) A direction given under this section must be in writing.
- (8) For the purposes of this section and section 63B—
- “coronavirus” has the meaning given by section 1 of the Coronavirus (Scotland) Act 2020,
 - “Health Board” means a Health Board constituted under section 2(1)(a) of the National Health Service (Scotland) Act 1978, and “area” in relation to a Health Board, means the area for which the Board is constituted,
 - “specified” means specified in a direction given under subsection (1).]

Textual Amendments

- F1** Ss. 63A, 63B and cross-heading inserted (temp.) (27.5.2020) by virtue of [Coronavirus \(Scotland\) \(No.2\) Act 2020 \(asp 10\)](#), s. 16(1), [sch. 1 para. 16\(2\)](#) (with s. 9) (which affecting provision expires (1.10.2022) by virtue of [Coronavirus \(Scotland\) \(No.2\) Act 2020 \(asp 10\)](#), [s. 9\(1\)](#))

Status:

Point in time view as at 27/05/2020. This version of this provision has been superseded.

Changes to legislation:

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