



National Health Service and Community Care Act 1990

1990 CHAPTER 19

PART IV

COMMUNITY CARE: SCOTLAND

53 Inspection of premises providing accommodation

- (1) Section 6 of the 1968 Act (supervision of establishments and places providing accommodation etc) shall be amended as follows.
- (2) In subsection (1) after “place” insert “the facilities and services provided therein”.
- (3) In subsection (1), for the words “required to be kept therein” there shall be substituted “(in whatever form they are held) relating to the place or to any person for whom services have been or are provided there”.
- (4) After subsection (2) there shall be inserted the following subsections—
 - “(2A) Any such person may require the owner of, or any person employed in, the establishment or place in question to furnish him with such information as he may request.
 - (2B) In exercising the power to inspect records and registers under this section a person—
 - (a) shall be entitled at any reasonable time to have access to, and inspect and check the operation of, any computer and any associated apparatus or material which is or has been in use in connection with the records or register in question; and
 - (b) may require—
 - (i) the person by whom or on whose behalf the computer is or has been so used; or
 - (ii) any person having charge of or otherwise concerned with the operation of the computer, apparatus or material,

Status: This is the original version (as it was originally enacted).

to give him such reasonable assistance as he may require.

- (2C) In exercising the power to inspect places under this section a person—
- (a) may interview any person residing there in private—
 - (i) for the purpose of investigating any complaint as to that place or the services provided there; or
 - (ii) if he has reason to believe that the services being provided there for that person are not satisfactory; and
 - (b) may examine any such person in private.
- (2D) No person may—
- (a) exercise the power to inspect records or registers under subsection (1) or (2) above so as to inspect medical records; or
 - (b) exercise the power conferred by subsection (2C)(b) above,
- unless he is a registered medical practitioner and, in the case of the power conferred by subsection (1) or (2) above, the records or register relate to medical treatment given at the place in question.”