



Social Work (Scotland) Act 1968

1968 CHAPTER 49

PART II

PROMOTION OF SOCIAL WELFARE BY LOCAL AUTHORITIES

[^{F1} Residential accommodation with nursing.]

13A ^{F1}Residential accommodation with nursing.

- (1) Without prejudice to section 12 of this Act, a local authority shall make such arrangements as they consider appropriate and adequate for the provision of suitable residential accommodation where nursing is provided for persons who appear to them to be in need of such accommodation by reason of infirmity, age, illness or mental disorder, dependency on drugs or alcohol or being substantially handicapped by any deformity or disability.
- (2) The arrangements made by virtue of subsection (1) above shall be made with a voluntary or other organisation or other person, being an organisation or person managing premises which are—
 - (a) a nursing home within the meaning of section 10(2)(a) of the Nursing Homes Registration (Scotland) Act ^{M1}1938 in respect of which that organisation or person is registered or exempt from registration under that Act; or
 - (b) a private hospital registered under section 12 of the Mental Health (Scotland) Act ^{M2}1984,for the provision of accommodation in those premises.
- (3) The provisions of section 6 of this Act apply in relation to premises where accommodation is provided for the purposes of this section as they apply in relation to establishments provided for the purposes of this Act.
- ^{F2}(4) No arrangements under subsection (1) above may be given effect to in relation to a person to whom section 115 of the Immigration and Asylum Act 1999 (exclusion from benefits) applies solely—
 - (a) because he is destitute; or

Status: Point in time view as at 01/03/2000. This version of this provision has been superseded.

Changes to legislation: Social Work (Scotland) Act 1968, Section 13A is up to date with all changes known to be in force on or before 10 June 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)

(b) because of the physical effects, or anticipated physical effects, of his being destitute.

^{F2}(5) Subsections (3) and (5) to (8) of section 95 of the Immigration and Asylum Act 1999, and paragraph 2 of Schedule 8 to that Act, apply for the purposes of subsection (4) above as they apply for the purposes of that section, but for the references in subsections (5) and (7) of that section and in that paragraph to the Secretary of State substitute references to a local authority.]

Textual Amendments

- F1** S. 13A and crossheading inserted (1.4.1993) by [National Health Service and Community Care Act 1990 \(c. 19, SIF 113:2\)](#), [s. 56](#); [S.I. 1992/2975](#), art. 2(2), [Sch.](#)
- F2** S. 13A(4)(5) inserted (1.3.2000 for specified purposes and otherwise 3.4.2000) by [1999 c. 33, s. 120\(2\)](#); [S.I. 2000/464](#), art. 2, [Sch.](#)
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Marginal Citations

- M1** [1938 c. 73 \(113:3\)](#).
- M2** [1984 c. 36 \(85\)](#).

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