



# Social Work (Scotland) Act 1968

## 1968 CHAPTER 49

### PART IV

#### RESIDENTIAL AND OTHER ESTABLISHMENTS

##### *Provision of residential and other establishments*

#### **59 Provision of residential and other establishments by local authorities, and maximum period for repayment of sums borrowed for such provision.**

- (1) [<sup>F1</sup>Without prejudice to their duties under] section 13A of this Act,] it shall be the duty of a local authority to provide and maintain such residential and other establishments as may be required for their functions under this Act [<sup>F3</sup>or under Part II of the Children (Scotland) Act 1995,] or arrange for the provision of such establishments.
- (2) For the purpose of discharging their duty under the foregoing subsection a local authority may—
  - (a) themselves provide such establishments as aforesaid; or
  - (b) join with another local authority in providing those establishments; or
  - (c) secure the provision of such establishments by voluntary organisations or other persons including other local authorities.
- (3) The maximum period for the repayment of sums borrowed by a local authority for the purposes of this section shall be such period not exceeding sixty years as may be sanctioned by the Secretary of State; and accordingly in Schedule 6 to the <sup>M1</sup>Local Government (Scotland) Act 1947, at the end, there shall be added the following entry, that is to say—

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“Section 59 of the Social Work (Scotland) Act 1968. Such period not exceeding sixty years as may be sanctioned by the Secretary of State.”

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*Status: Point in time view as at 01/07/2002. This version of this provision has been superseded.*

**Changes to legislation:** *Social Work (Scotland) Act 1968, Section 59 is up to date with all changes known to be in force on or before 28 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)*

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### Textual Amendments

- F1** Words in s. 59 inserted (1.4.1993) by [National Health Service and Community Care Act 1990 \(c. 19, SIF 113:2\)](#), s. 66(1), [Sch. 9 para. 10\(7\)](#); S.I. 1992/2975, art. 2(2), [Sch.](#)
- F2** Words in s. 59(1) substituted (1.4.2002) by [Regulation of Care \(Scotland\) Act 2001 \(asp 8\)](#), s. 72(c); S.S.I. 2002/162, [art. 2](#) (with arts. 3-13)
- F3** Words in s. 59(1) inserted (12.12.1996 for certain purposes and otherwise 1.4.1997) by [1995 c. 36](#), s. 105(4), [Sch. 4 para. 15\(15\)](#) (with s. 103(1)); S.I. 1996/3201, [art. 3\(6\)\(7\)](#) (which said art. 3(7) was substituted (7.3.1997) by S.I. 1997/744, [art. 2](#) (with transitional provisions inserted into S.I. 1996/3201 by [art. 3](#)))

### Marginal Citations

- M1** [1947 c. 43](#).

**Status:**

Point in time view as at 01/07/2002. This version of this provision has been superseded.

**Changes to legislation:**

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