



# Regulation of Care (Scotland) Act 2001

## 2001 asp 8

### PART 6

#### MISCELLANEOUS

##### *Nursing in local authority residential accommodation*

#### **72 Provision by local authorities of residential accommodation in which nursing is provided**

A local authority shall have power to provide and maintain such accommodation as is mentioned in subsection (1) of section 13A of the Social Work (Scotland) Act 1968 (c.49) (residential accommodation with nursing); and accordingly—

- (a) in that subsection—
  - (i) after the word “shall” there is inserted the following paragraph—

“(a) provide and maintain;”;
  - (ii) after that paragraph there is inserted the word “ or ”; and
  - (iii) the existing words “make such arrangements as they consider appropriate and adequate for the provision of” become paragraph (b);
- (b) in subsection (2) of that section, the word “The”, where it first occurs, is repealed; and
- (c) in section 59(1) of that Act (provision of residential and other establishments by local authorities etc.), for the words “Subject to” there are substituted the words “ Without prejudice to their duties under ”.

#### **Commencement Information**

**II** S. 72 wholly in force at 1.4.2002, see s. 81(2)-(4) and [S.S.I. 2002/162](#), [art. 2\(e\)](#) (subject to [arts. 3-13](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation of Care (Scotland) Act 2001, Section 72.