



# Adult Support and Protection (Scotland) Act 2007

2007 asp 10

## PART 1

### PROTECTION OF ADULTS AT RISK OF HARM

#### *Protection orders and visits: supplementary*

#### **38 Criteria for granting warrants for entry: section 7 visits**

- (1) A sheriff who grants an assessment order must also grant a warrant for entry in relation to a visit under section 7 of a place from which a person may be taken in pursuance of the assessment order.
- (2) The sheriff may, on the application of the council, otherwise grant a warrant for entry in relation to a visit under section 7 only if satisfied, by evidence on oath—
  - (a) that a council officer has been, or reasonably expects to be—
    - (i) refused entry to, or
    - (ii) otherwise unable to enter,the place concerned, or
  - (b) that any attempt by a council officer to visit the place without such a warrant would defeat the object of the visit.

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#### **Commencement Information**

**II** S. 38 in force at 29.10.2008 by [S.S.I. 2008/314](#), [art. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Adult Support and Protection (Scotland) Act 2007, Section 38.