



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.