



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) 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, 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 Local Government (Scotland) Act 1947, at the end, there shall be added the following entry, that is to say—

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

60 Control of residential and other establishments

- (1) The Secretary of State may make regulations as to the conduct of residential and other establishments and for securing the welfare of persons resident or accommodated in them, and, without prejudice to the generality of those regulations, they may provide—
- (a) for the construction of, and the accommodation provided in, those establishments, and their equipment, maintenance and management;
 - (b) for the classification, treatment and control of persons resident therein or attending thereat;
 - (c) for the inspection of those establishments and the visiting of persons from time to time by visitors appointed in accordance with the regulations ;
 - (d) for notice to be given to the Secretary of State or the local authority with which the person carrying on any such establishment is registered under any enactment of any change of the person in charge of the establishment ;
 - (e) for requirements, in the case of children, as to the facilities which are to be given for them to receive a religious upbringing appropriate to the persuasion to which they belong;
 - (f) for making available in any of those establishments any service authorised by the National Health Service (Scotland) Act 1947;
- and may contain different provisions for different classes of establishments and different categories of persons.
- (2) In the foregoing subsection, the expression " treatment" includes training, education and occupation, but does not include medical treatment.
- (3) Where any regulation made in pursuance of this section provides that this subsection shall have effect in relation to the regulation, any person who contravenes or fails to comply with the regulation or any requirement or direction under it shall be liable on summary conviction to a fine not exceeding fifty pounds.