



National Assistance Act 1948

1948 CHAPTER 29

PART III

LOCAL AUTHORITY SERVICES.

Provision of Accommodation.

21 Duty of local authorities to provide accommodation.

- (1) It shall be the duty of every local authority, subject to and in accordance with the provisions of this Part of this Act, to provide—
 - (a) residential accommodation for persons who by reason of age, infirmity or any other circumstances are in need of care and attention which is not otherwise available to them;
 - (b) temporary accommodation for persons who are in urgent need thereof, being need arising in circumstances which could not reasonably have been foreseen or in such other circumstances as the authority may in any particular case determine.
- (2) In the exercise of their said duty a local authority shall have regard to the welfare of all persons for whom accommodation is provided, and in particular to the need for providing accommodation of different descriptions suited to different descriptions of such persons as are mentioned in the last foregoing subsection.
- (3) A local authority shall exercise their functions under this section in accordance with a scheme made thereunder.
- (4) Accommodation provided by a local authority in the exercise of their said functions shall be provided in premises managed by the authority or, to such extent as may be specified in the scheme under this section, in such premises managed by another local authority as may be agreed between the two authorities and on such terms, including terms as to the reimbursement of expenditure incurred by the said other authority, as may be so agreed.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (5) References in this Act to accommodation provided under this Part thereof shall be construed as references to accommodation provided in accordance with this and the five next following sections, and as including references to board and other services, amenities and requisites provided in connection with the accommodation except where in the opinion of the authority managing the premises their provision is unnecessary.
- (6) References in this Act to a local authority providing accommodation shall be construed, in any case where a local authority agree with another local authority for the provision of accommodation in premises managed by the said other authority, as references to the first-mentioned local authority.
- (7) Without prejudice to the generality of the foregoing provisions of this section, a local authority may—
- (a) provide, in such cases as they may consider appropriate, for the conveyance of persons to and from premises in which accommodation is provided for them under this Part of the Act;
 - (b) themselves provide on the premises in which accommodation is being provided such health services, not being specialist services or services of a kind normally provided only on admission to a hospital, as appear to the authority requisite and as may be specified in the scheme under this section;
 - (c) arrange for the provision on the premises of local health services.

In this subsection the expression " local health services " means the like services as are provided under Part III of the National Health Service Act, 1946, or of the National Health Service (Scotland) Act, 1947, for persons in their own homes; and a local health authority for the purposes of the said Part III shall by virtue of this subsection have power to provide any local health services to which arrangements under this subsection relate.

- (8) Save as provided in the last foregoing subsection, nothing in this section shall authorise or require a local authority to make any provision authorised or required to be made (whether by that or by any other authority) by or under any enactment not contained in this Part of this Act.