



# Social Work (Scotland) Act 1968

## 1968 CHAPTER 49

### PART I

#### ADMINISTRATION

##### *Performance of their duties by local authorities*

#### 4 Provisions relating to performance of functions by local authorities.

Where a function is assigned to a local authority under this Act [<sup>F1</sup>or [<sup>F2</sup>section 25 (provision of care and support services for persons who have or have had a mental disorder), 26 (provision of services designed to promote well-being and social development of such persons) or 27 (assistance with travel in connection with such services) of the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13)]<sup>F3</sup> or Part II of the Children (Scotland) Act 1995]<sup>F4</sup> or any of Parts 5, 6, 9 to 11, 13 to 16, and 18 of the Children's Hearings (Scotland) Act 2011 (asp 1)]<sup>F5</sup> or Part 2, 3, 4, 5 or 6 of the Carers (Scotland) Act 2016], and a voluntary organisation or other person, including another local authority, is able to assist in the performance of that function, the local authority may make arrangements with such an organisation or other person for the provision of such assistance as aforesaid.

#### Textual Amendments

- F1** Words inserted (1.4.1991) by National Health Service and Community Care Act 1990 (c. 19, SIF 113:2), s. 66(2), **Sch. 9 para. 10(3)**
- F2** Words in s. 4 substituted (5.10.2005) by Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13), s. 333(2), **sch. 4 para. 1(2)**; S.S.I. 2005/161, art. 3 (as substituted (1.7.2005) by S.S.I. 2005/375, art. 2 and as amended (22.9.2005) by S.S.I. 2005/459, art. 2)
- F3** Words in s. 4 inserted (12.12.1996 for certain purposes and otherwise 1.4.1997) by 1995 c. 36, s. 105(4), **Sch. 4 para. 15(3)** (with s. 103(1)); S.I. 1996/3201, **art. 3(6)(7)** (which said art. 3(7) was substituted (7.3.1997) by S.I. 1997/744, **art. 2** (with transitional provisions inserted into S.I. 1996/3201 by **art. 3**))

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**Changes to legislation:** Social Work (Scotland) Act 1968, Section 4 is up to date with all changes known to be in force on or before 22 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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- F4** Words in s. 4 inserted (24.6.2013) by [The Children's Hearings \(Scotland\) Act 2011 \(Modification of Primary Legislation\) Order 2013 \(S.S.I. 2013/211\)](#), art. 1, **sch. 1 para. 1(3)**
- F5** Words in s. 4 inserted (1.4.2018) by [Carers \(Scotland\) Act 2016 \(asp 9\)](#), **ss. 40, 45(2)**; S.S.I. 2017/152, reg. 4

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 27(1)(za) inserted by [2023 asp 4 s. 1\(5\)](#)
- s. 29(3)(j) repealed by [2005 asp 3 Sch. 5 para. 1](#)
- s. 61B inserted by [2000 asp 4 s. 36](#) (This amendment not applied to legislation.gov.uk. S. 36 repealed (1.4.2002) without ever being in force by 2001 asp 8, Sch. 4; S.S.I. 2002/162, art. 2 (with arts. 3-13))
- s. 62(3)(d) inserted by [2000 asp 4 s. 38\(3\)](#) (This amendment not applied to legislation.gov.uk. S. 38 repealed (1.4.2002) without ever being in force by 2001 asp 8, Sch. 4; S.S.I. 2002/162, art. 2 (with arts. 3-13))
- s. 64A(1)(e) and word inserted by [2000 asp 4 Sch. 5 para. 10](#) (This amendment not applied to legislation.gov.uk. Sch. 5 para. 10 repealed (1.4.2002) without ever being in force by 2001 asp 8, Sch. 4; S.S.I. 2002/162, art. 2 (with arts. 3-13))
- s. 87A inserted by [2007 asp 10 s. 66](#)