



National Health Service and Community Care Act 1990

1990 CHAPTER 19

PART IV

COMMUNITY CARE: SCOTLAND

56 Residential accommodation with nursing and provision of care and after-care.

After section 13 of the 1968 Act there shall be inserted the following sections—

“ Residential accommodation with nursing

13A Residential accommodation with nursing.

- (1) Without prejudice to section 12 of this Act, a local authority shall make such arrangements as they consider appropriate and adequate for the provision of suitable residential accommodation where nursing is provided for persons who appear to them to be in need of such accommodation by reason of infirmity, age, illness or mental disorder, dependency on drugs or alcohol or being substantially handicapped by any deformity or disability.
- (2) The arrangements made by virtue of subsection (1) above shall be made with a voluntary or other organisation or other person, being an organisation or person managing premises which are—
 - (a) a nursing home within the meaning of section 10(2)(a) of the Nursing Homes Registration (Scotland) Act 1938 in respect of which that organisation or person is registered or exempt from registration under that Act; or
 - (b) a private hospital registered under section 12 of the Mental Health (Scotland) Act 1984,for the provision of accommodation in those premises.

Changes to legislation: National Health Service and Community Care Act 1990, Section 56 is up to date with all changes known to be in force on or before 08 May 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](#)

- (3) The provisions of section 6 of this Act apply in relation to premises where accommodation is provided for the purposes of this section as they apply in relation to establishments provided for the purposes of this Act.

Provision of care and after-care

13B Provision of care and after-care.

- (1) Subject to subsection (2) below, a local authority may, with the approval of the Secretary of State, and shall, if and to the extent that the Secretary of State so directs, make arrangements for the purpose of the prevention of illness, the care of persons suffering from illness, and the after-care of such persons.
- (2) The arrangements which may be made under subsection (1) above do not include arrangements in respect of medical, dental or nursing care, or health visiting.”

Commencement Information

- II** S. 56 wholly in force at 1.4.1993; S. 56 not in force at Royal Assent see s. 67(2); s. 56 in force for certain purposes at 1.4.1991 by S.I. 1990/2510, art. 2, Sch.; s. 56 in force at 1.4.1993 so far as not already in force by S.I. 1992/2975, art. 2(2), Sch.

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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. 4A(1)(c) and word added by [S.I. 2006/1056 Sch. para. 5\(a\)\(ii\)](#) (This amendment comes into force on the day on which 2005 asp 13, s. 20 comes into force, see art. 1(2)(b))