



Adults with Incapacity (Scotland) Act 2000

2000 asp 4

PART 4

MANAGEMENT OF RESIDENTS' FINANCES

38 Financial procedures and controls in registered establishments

- (1) In section 1(3) of the Nursing Homes Registration (Scotland) Act 1938 (c. 73) (“the 1938 Act”), after paragraph (d) there shall be inserted—
 - “(e) that the applicant does not maintain financial procedures and controls adequate to ensure the safeguarding of any property of a resident of the home which the applicant will be required to manage.”.
- (2) In section 4(1)(a) of the 1938 Act, after sub-paragraph (ii) there shall be inserted “; and
(iii) the financial procedures and controls relating to residents' property.”.
- (3) In section 62(3) of the Social Work (Scotland) Act 1968 (c. 49), after paragraph (c) there shall be inserted—
 - “(d) that the applicant does not maintain financial procedures and controls adequate to ensure the safeguarding of any property of a resident of the establishment which the applicant will be required to manage.”.
- (4) In section 13(1) of the 1984 Act, after paragraph (a) there shall be inserted—
 - “(aa) that the person proposing to carry on the establishment maintains financial procedures and controls adequate to ensure the safeguarding of any property of a resident of the hospital which that person will be required to manage.”.