

These notes relate to the Adult Support and Protection (Scotland) Act 2007 (asp 10) which received Royal Assent on 21 March 2007

ADULT SUPPORT AND PROTECTION (SCOTLAND) ACT 2007

EXPLANATORY NOTES

THE ACT – AN OVERVIEW

Part 1

Protection of Adults at Risk of Harm

Protection orders and visits: supplementary

Section 38 – Criteria for granting warrants for entry: section 7 visits

59. This section states that a sheriff who grants an assessment order (under section 11) must also grant a warrant for entry in relation to any visit taking place under section 7. Otherwise (i.e. where no assessment order made), the sheriff may only grant a warrant for entry in relation to a visit under section 7, if satisfied that the council officer reasonably expects to be refused entry, would otherwise be unable to enter, or that the object of the visit would be frustrated without a warrant.