



# 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.

---

*Status: This is the original version (as it was originally enacted).*

---

- (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.”