



# Mental Health (Care and Treatment) (Scotland) Act 2003

## 2003 asp 13

### PART 18

#### MISCELLANEOUS

##### *Payments for expenses*

#### **288 Payments to persons in hospital to meet personal expenses**

- (1) Where subsections (2) and (3) below apply in relation to a person, the Scottish Ministers may pay to the person such amounts as they consider appropriate in respect of the person's occasional personal expenses.
- (2) This subsection applies where the person—
  - (a) has a mental disorder;
  - (b) has been admitted to a hospital; and
  - (c) is being given treatment there primarily for mental disorder.
- (3) This subsection applies where it appears to the Scottish Ministers that the person would not otherwise have resources to meet the expenses in question.
- (4) For the purposes of the National Health Service (Scotland) Act 1978 (c. 29), the making of payments under this section to persons for whom services are provided under that Act shall be treated as included among those services.
- (5) In subsection (2) above, “hospital” means—
  - (a) any health service hospital (as defined in section 108(1) of the National Health Service (Scotland) Act 1978 (c. 29)); or
  - (b) any state hospital.

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**Changes to legislation:** *Mental Health (Care and Treatment) (Scotland) Act 2003, Cross Heading: Payments for expenses is up to date with all changes known to be in force on or before 17 August 2023. 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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#### **Commencement Information**

- II** S. 288 in force at 5.10.2005 by [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)

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[View outstanding changes](#)

**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. 64(8A)(8B) inserted by [2015 asp 9 s. 1\(2\)](#)
- s. 65(7) inserted by [2015 asp 9 s. 1\(3\)](#)