



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

2003 asp 13

PART 2

THE MENTAL WELFARE COMMISSION FOR SCOTLAND

[^{F1}Commission Visitors

Textual Amendments

- F1** [S. 4A and crossheading](#) inserted (1.8.2010 for specified purposes, 1.10.2010 for specified purposes, 1.4.2011 in so far as not already in force) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), [ss. 111\(3\), 134\(7\)](#); [S.S.I. 2010/221](#), [art. 3\(2\)\(3\)](#), [sch.](#); [S.S.I. 2010/321](#), [art. 3](#), [sch.](#); [S.S.I. 2011/122](#), [art. 2](#), [sch.](#)

4A Commission Visitors

- (1) Commission Visitors are to exercise the functions conferred on them by this Act or any other enactment on behalf of the Commission.
- (2) Commission Visitors may, in addition to the other functions conferred in this Part, exercise the functions of the Commission mentioned in—
 - (a) section 8A of this Act;
 - (b) section 9(1)(d) of the Adults with Incapacity (Scotland) Act 2000 (asp 4).
- (3) The Commission may give the Commission Visitors directions of a general or specific nature in relation to the exercise of the functions conferred on them.
- (4) A Commission Visitor must—
 - (a) comply with any direction given under subsection (3); and
 - (b) act in accordance with any guidance issued by the Commission in relation to the exercise of the functions of Commission Visitors.

Changes to legislation: *Mental Health (Care and Treatment) (Scotland) Act 2003, Cross Heading: Commission Visitors is up to date with all changes known to be in force on or before 01 June 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*

- (5) A Commission Visitor acting in the exercise of any function must, if required, produce evidence of the Commission Visitor's authority.
- (6) In this Act, “Commission Visitors” are persons appointed under paragraph 7A(1) or (2) of schedule 1 to this Act.]

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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\(3\)](#)