



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

2003 asp 13

PART 2

THE MENTAL WELFARE COMMISSION FOR SCOTLAND

[^{F1}Commission Visitors

[^{F1}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.
- (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.]

Changes to legislation: *Mental Health (Care and Treatment) (Scotland) Act 2003, Section 4A is up to date with all changes known to be in force on or before 02 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*

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.](#)

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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\(3\)](#)