



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

2003 asp 13

PART 2

THE MENTAL WELFARE COMMISSION FOR SCOTLAND

Particular functions

[^{F1}8A Duty to raise service concerns with certain bodies

- (1) The Commission shall, as it considers appropriate, raise any concerns (of a general or specific nature) about the provision of any service mentioned in subsection (2) as respects a person who has a mental disorder, with—
 - (a) Social Care and Social Work Improvement Scotland;
 - (b) Healthcare Improvement Scotland; or
 - (c) such other relevant persons, or group of persons.
- (2) The services are—
 - (a) any social service (within the meaning of Part 5 of the Public Services Reform (Scotland) Act 2010 (asp 8));
 - (b) health care (within the meaning of section 10A of the National Health Service (Scotland) Act 1978 (c. 29)).
- (3) In subsection (1), the “provision” of any service includes the organisation or co-ordination of any such service.]

Textual Amendments

- F1** S. 8A 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(5)**, 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.

Changes to legislation:

Mental Health (Care and Treatment) (Scotland) Act 2003, Section 8A is up to date with all changes known to be in force on or before 26 May 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.

[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\(3\)](#)