

## SCHEDULE 1

### MODIFICATIONS RELATING TO SOCIAL CARE AND SOCIAL WORK IMPROVEMENT SCOTLAND

#### PART 1

#### MODIFICATIONS OF PRIMARY LEGISLATION

##### ***Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13)***

**13.**—(1) The Mental Health (Care and Treatment) (Scotland) Act 2003<sup>(1)</sup> is amended as follows.

(2) In section 8(4) (duty to bring specific matters to the attention of the Scottish Ministers and others etc.), for “Part 1 of the Regulation of Care (Scotland) Act 2001” substitute “Part 5 of the Public Services Reform (Scotland) Act 2010”.

(3) In section 25(3)(a)(ii) (care and support services etc.), for “section 2(28) of the Regulation of Care (Scotland) Act 2001” substitute “paragraph 20 of schedule 12 to the Public Services Reform (Scotland) Act 2010”.

(4) In section 298(6) (removal to a place of safety from a public place), in the definition of “care service”, for “section 2(1) of the Regulation of Care (Scotland) Act 2001” substitute “section 47(1) of the Public Services Reform (Scotland) Act 2010”.

(5) In section 300(b) (meaning of “place of safety”), for “section 2(3) of the Regulation of Care (Scotland) Act 2001” substitute “paragraph 2 of schedule 12 to the Public Services Reform (Scotland) Act 2010”.

(6) In section 329(1)(2) (interpretation), in the definition of “care home service”, for “section 2(3) of the Regulation of Care (Scotland) Act 2001” substitute “paragraph 2 of schedule 12 to the Public Services Reform (Scotland) Act 2010”.

##### **Commencement Information**

**II** Sch. 1 para. 13 in force at 1.4.2011, see [art. 1](#)

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(1) [2003 asp 13](#).

(2) Section 329(1) was relevantly amended by [S.S.I. 2005/465](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Public Services Reform (Scotland) Act 2010 (Consequential Modifications) Order 2011, Paragraph 13.