

Changes to legislation: Mental Health (Care and Treatment) (Scotland) Act 2003, Paragraph 2B is up to date with all changes known to be in force on or before 23 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. (See end of Document for details) View outstanding changes

SCHEDULE 1 THE MENTAL WELFARE COMMISSION FOR SCOTLAND

PART 1

MEMBERSHIP, PROCEEDINGS ETC.

[^{F1}Membership]

Textual Amendments

F1 Sch. 1 para. 2A-2E and crossheadings 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 \(asp 8\)](#), s. 134(7), **sch. 18 para. 4**; 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.

- 2B (1) In appointing members, the Scottish Ministers are to have regard to the desirability of including—
- (a) persons who have experience of, and have shown capacity and capability in, the provision of services to those who have a mental disorder;
 - (b) persons who use, or have used, such services;
 - (c) persons who are, or have been, carers of those who have a mental disorder;
 - (d) persons who have such other skills, knowledge or experience as the Scottish Ministers consider to be relevant in relation to the exercise of the Commission's functions.
- (2) In appointing members under paragraph 2A(1)(b), the Scottish Ministers must appoint at least—
- (a) one person who falls within paragraph (b) of sub-paragraph (1) of this paragraph; [^{F1} and]
 - (b) one person who falls within paragraph (c) of sub-paragraph (1) of this paragraph ^{F2}...
- F2**

Textual Amendments

F1 Word in sch. 1 para. 2B(2) inserted (28.6.2021) by [Redress for Survivors \(Historical Child Abuse in Care\) \(Scotland\) Act 2021 \(asp 15\)](#), s. 109(2), **sch. 2 para. 4(3)(b)(i)**; S.S.I. 2021/234, reg. 2, sch.

F2 Sch. 1 para. 2B(2)(c) and word repealed (28.6.2021) by [Redress for Survivors \(Historical Child Abuse in Care\) \(Scotland\) Act 2021 \(asp 15\)](#), s. 109(2), **sch. 2 para. 4(3)(b)(ii)**; S.S.I. 2021/234, reg. 2, sch.

Changes to legislation:

Mental Health (Care and Treatment) (Scotland) Act 2003, Paragraph 2B is up to date with all changes known to be in force on or before 23 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\(3\)](#)