



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

## 2003 asp 13

### PART 2

#### THE MENTAL WELFARE COMMISSION FOR SCOTLAND

##### *Particular functions*

#### **16 Inspection etc. of records**

- (1) A person authorised by the Commission (an “authorised person”) may, in connection with the discharge by the Commission of any of its functions under—
  - (a) this Act; or
  - (b) the Adults with Incapacity (Scotland) Act 2000 ([asp 4](#)),require any person holding medical or other records of a patient to produce them for inspection by the authorised person.
- (2) An authorised person shall be—
  - (a) a member of the Commission; or
  - (b) a member of the staff of the Commission.
- (3) An authorised person proposing to exercise the power conferred by subsection (1) above shall, if requested to do so, produce an authenticated document showing that the authorised person is a member of the Commission or, as the case may be, a member of staff of the Commission.