



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 18

MISCELLANEOUS

Mutual assistance

183 Mutual assistance

- (1) A person mentioned in subsection (2) must comply with a request by another such person for assistance in the carrying out of functions conferred by virtue of this Act.
- (2) The persons are—
 - (a) CHS,
 - (b) the National Convener,
 - (c) SCRA,
 - (d) the Principal Reporter.
- (3) A person mentioned in subsection (4) must comply with a request by a local authority for assistance in the carrying out of the local authority's functions under this Act.
- (4) The persons are—
 - (a) another local authority,
 - (b) a health board constituted under section 2 of the National Health Service (Scotland) Act 1978 (c.29).
- (5) A request under this section must specify the assistance that is required.
- (6) Nothing in this section requires a person to comply with a request if—
 - (a) it would be incompatible with any function (whether conferred by statute or otherwise) of the person to whom it is directed, or
 - (b) it would unduly prejudice the carrying out by the person to whom the request is directed of the person's functions.

184 Enforcement of obligations on health board under section 183

- (1) This section applies where—
 - (a) the implementation authority in relation to a compulsory supervision order has made a request for assistance from a health board under section 183(3),
 - (b) the request is in connection with the implementation of the compulsory supervision order, and
 - (c) the implementation authority is satisfied that the health board has unreasonably failed to comply with the request.
- (2) The implementation authority may refer the matter to the Scottish Ministers.
- (3) On receiving a reference under subsection (2), the Scottish Ministers may, if they are satisfied that the health board has unreasonably failed to comply with the request, direct the health board to comply with the request.
- (4) The health board must comply with a direction under subsection (3).