



Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016

2016 asp 14

PART 3

ILL-TREATMENT AND WILFUL NEGLECT

Ill-treatment and wilful neglect of mentally disordered person

32 Penalty for ill-treatment and wilful neglect of mentally disordered person

In section 315 of the Mental Health (Care and Treatment) (Scotland) Act 2003 (ill-treatment and wilful neglect of mentally disordered person)—

- (a) in subsection (3)(b), for “2” substitute “ 5 ”,
- (b) for subsection (4), substitute—

“(4) In subsection 1(c), “provides care services” means anything done—

- (a) by a care service,
- (b) by an employee of a care service, or
- (c) in the course of a service provided or supplied by a care service,

whether by virtue of a contract of employment or any other contract or in circumstances as may be prescribed by regulations.”,

- (c) after subsection (4), insert—

“(5) For the purposes of subsection (4), “care service” means a service mentioned in section 47(1)(a), (b), (d), (f), (g), (j) or (m) of the Public Services Reform (Scotland) Act 2010.”.

Commencement Information

II S. 32 in force at 1.10.2017 by S.S.I. 2017/294, reg. 2, sch.

Changes to legislation:

There are currently no known outstanding effects for the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016, Cross Heading: Ill-treatment and wilful neglect of mentally disordered person.