

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes provision under paragraph 7 of schedule 1A (National Confidential Forum) to the Mental Health (Care and Treatment) (Scotland) Act 2003 (“the schedule”).

The National Confidential Forum (NCF) is a committee of the Mental Welfare Commission with functions relating to persons who were placed in institutional care as children. The NCF may hear testimony from eligible persons. It is a condition of eligibility that a person has been placed in institutional care.

Articles 2 and 3 prescribe care and health services for the purposes of the definition of “institutional care” in paragraph 7(3) of the schedule. Those services also require to meet the conditions in paragraph 7(4) of the schedule.

The services prescribed in the Order do not include services provided in private dwellings (article 4).