

# **MENTAL HEALTH (SCOTLAND) ACT 2015**

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## **EXPLANATORY NOTES**

### **THE STRUCTURE & A SUMMARY OF THE ACT**

#### **Part One – the 2003 Act**

##### ***Section 27: information about advocacy services***

83. Section 259 of the 2003 Act gives every person with a mental disorder the right to access independent advocacy and places duties on local authorities and Health Boards (including the State Hospitals Board for Scotland) to secure, and take appropriate steps to ensure access to, independent advocacy services for persons with a mental disorder in their area.

#### **New section 259A**

84. **Section 27** requires local authorities, Health Boards, and the State Hospitals Board for Scotland to provide information to the Mental Welfare Commission on how they have exercised their functions under section 259 of the 2003 Act and how they plan to do so. The Commission may seek information at intervals that it chooses, covering periods of at least 2 years.