



Health Service Commissioners (Amendment) Act 1996

1996 CHAPTER 5

Other matters

4 Mental Welfare Commission for Scotland

- (1) In section 2(3) of the 1993 Act (bodies subject to investigation by Health Service Commissioner for Scotland) the word “and” at the end of paragraph (c) shall be omitted and after paragraph (d) there shall be inserted “and
(e) the Mental Welfare Commission for Scotland”.
- (2) In section 4(3) of the 1993 Act (no investigation where protective functions of Mental Welfare Commission for Scotland applicable) after “action” there shall be inserted “by a health service body other than the Mental Welfare Commission for Scotland if it is action”.
- (3) After section 7 of the 1993 Act there shall be inserted—

“7A Certain functions of Mental Welfare Commission for Scotland

A Commissioner shall not conduct an investigation in respect of action taken by the Mental Welfare Commission for Scotland under section 33 (orders for discharge of hospital patients), 35I (revocation of community care orders) or 50 (orders discharging patients from guardianship) of the Mental Health (Scotland) Act 1984.”