



Mental Health (Care and Treatment) (Scotland) Act 2003

2003 asp 13

PART 2

THE MENTAL WELFARE COMMISSION FOR SCOTLAND

Particular functions

15 Medical examination

- (1) A person authorised by the Commission (an “authorised person”) may, in connection with the discharge by the Commission of any of its functions under—
 - (a) this Act; or
 - (b) the Adults with Incapacity (Scotland) Act 2000 ([asp 4](#)),carry out in private a medical examination of a patient.
- (2) An authorised person shall be—
 - (a) a medical commissioner; or
 - (b) a member of staff of the Commission who has such qualifications and experience, and has undertaken such training, as may be prescribed by regulations.
- (3) An authorised person proposing to exercise the power conferred by subsection (1) above shall, if requested to do so, produce an authenticated document showing that the Commission has given the requisite authority for the purposes of this section.