



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

2003 asp 13

PART 4

HEALTH BOARD AND LOCAL AUTHORITY FUNCTIONS

CHAPTER 2

LOCAL AUTHORITY FUNCTIONS

Provision of services

25 Care and support services etc.

- (1) A local authority—
 - (a) shall—
 - (i) provide, for persons who are not in hospital and who have or have had a mental disorder, services which provide care and support; or
 - (ii) secure the provision of such services for such persons; and
 - (b) may—
 - (i) provide such services for persons who are in hospital and who have or have had a mental disorder; or
 - (ii) secure the provision of such services for such persons.
- (2) Services provided by virtue of subsection (1) above shall be designed to—
 - (a) minimise the effect of the mental disorder on such persons; and
 - (b) give such persons the opportunity to lead lives which are as normal as possible.
- (3) In subsection (1) above, “care and support”—
 - (a) includes, without prejudice to the generality of that expression—
 - (i) residential accommodation; and

Status: This is the original version (as it was originally enacted).

- (ii) personal care and personal support (each of those expressions having the meaning given by section 2(28) of the Regulation of Care (Scotland) Act 2001 (asp 8)); but
 - (b) does not include nursing care.
- (4) In section 59(1) of the Social Work (Scotland) Act 1968 (c. 49) (duty of local authorities as respects provision and maintenance of residential or other establishments), for the words “or under” there shall be substituted “sections 25 and 26 of the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13) or”.