



Adult Support and Protection (Scotland) Act 2007

2007 asp 10

PART 1

PROTECTION OF ADULTS AT RISK OF HARM

Inquiries

5 Co-operation

- (1) This section applies to—
- (a) the Mental Welfare Commission for Scotland,
 - [^{F1}(b) SCSWIS,]
 - [^{F2}(ba) Healthcare Improvement Scotland,]
 - (c) the Public Guardian,
 - (d) all councils,
 - [^{F3}(e) the chief constable of the Police Service of Scotland,]
 - (f) the relevant Health Board, and
 - (g) any other public body or office-holder as the Scottish Ministers may by order specify.
- (2) The public bodies and office-holders to which this section applies must, so far as consistent with the proper exercise of their functions, co-operate with—
- (a) a council making inquiries under section 4, and
 - (b) each other,
- where such co-operation is likely to enable or assist the council making those inquiries.
- (3) Where a public body or office-holder to which this section applies knows or believes—
- (a) that a person is an adult at risk, and
 - (b) that action needs to be taken (under this Part or otherwise) in order to protect that person from harm,
- the public body or office-holder must report the facts and circumstances of the case to the council for the area in which it considers the person to be.

Changes to legislation: There are currently no known outstanding effects for the Adult Support and Protection (Scotland) Act 2007, Section 5. (See end of Document for details)

Textual Amendments

- F1** S. 5(1)(b) substituted (1.10.2010 for specified purposes, 1.4.2011 in so far as not already in force) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), **Sch. 14 para. 20**; S.S.I. 2010/321, art. 3, Sch.; S.S.I. 2011/122, art. 2, Sch.
- F2** S. 5(1)(ba) inserted (1.10.2010 for specified purposes, 1.4.2011 in so far as not already in force) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), **Sch. 17 para. 35(a)**; S.S.I. 2010/321, art. 3, Sch.; S.S.I. 2011/122, art. 2, Sch.
- F3** S. 5(1)(e) substituted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), **Sch. 7 para. 35(2)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)

Commencement Information

- I1** S. 5 in force at 29.10.2008 by [S.S.I. 2008/314](#), **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Adult Support and Protection (Scotland) Act 2007, Section 5.