



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 18

MISCELLANEOUS

Mutual assistance

183 Mutual assistance

- (1) A person mentioned in subsection (2) must comply with a request by another such person for assistance in the carrying out of functions conferred by virtue of this Act.
- (2) The persons are—
 - (a) CHS,
 - (b) the National Convener,
 - (c) SCRA,
 - (d) the Principal Reporter.
- (3) A person mentioned in subsection (4) must comply with a request by a local authority for assistance in the carrying out of the local authority's functions under this Act.
- (4) The persons are—
 - (a) another local authority,
 - (b) a health board constituted under section 2 of the National Health Service (Scotland) Act 1978 (c.29).
- (5) A request under this section must specify the assistance that is required.
- (6) Nothing in this section requires a person to comply with a request if—
 - (a) it would be incompatible with any function (whether conferred by statute or otherwise) of the person to whom it is directed, or
 - (b) it would unduly prejudice the carrying out by the person to whom the request is directed of the person's functions.

Changes to legislation: Children's Hearings (Scotland) Act 2011, Cross Heading: Mutual assistance is up to date with all changes known to be in force on or before 02 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Commencement Information

II S. 183 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

184 Enforcement of obligations on health board under section 183

- (1) This section applies where—
- (a) the implementation authority in relation to a compulsory supervision order has made a request for assistance from a health board under section 183(3),
 - (b) the request is in connection with the implementation of the compulsory supervision order, and
 - (c) the implementation authority is satisfied that the health board has unreasonably failed to comply with the request.
- (2) The implementation authority may refer the matter to the Scottish Ministers.
- (3) On receiving a reference under subsection (2), the Scottish Ministers may, if they are satisfied that the health board has unreasonably failed to comply with the request, direct the health board to comply with the request.
- (4) The health board must comply with a direction under subsection (3).

Commencement Information

I2 S. 184 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

Changes to legislation:

Children's Hearings (Scotland) Act 2011, Cross Heading: Mutual assistance is up to date with all changes known to be in force on or before 02 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 17A inserted by [2020 asp 16 s. 6\(2\)](#)
- s. 25(3) inserted by [2020 asp 16 s. 30\(7\)](#)
- s. 27(3)-(4A) substituted for s. 27(3)(4) by [2020 asp 16 s. 3\(2\)](#)
- s. 62(5)(q)-(u) inserted by [2020 asp 9 s. 8\(2\)\(b\)](#)
- s. 163(2)-(2B) substituted for s. 163(2) by [2020 asp 16 s. 27\(3\)\(b\)](#)
- s. 164(2)-(2B) substituted for s. 164(2) by [2020 asp 16 s. 27\(4\)\(b\)](#)
- s. 165(2)-(2B) substituted for s. 165(2) by [2020 asp 16 s. 27\(5\)\(b\)](#)