

*These notes relate to the Mental Health (Care and Treatment) (Scotland)
Act 2003 (asp 13) which received Royal Assent on 25 April 2003*

MENTAL HEALTH (CARE AND TREATMENT) (SCOTLAND) ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 15 – Preliminary Duties on the Making of Orders

Section 229: designation of mental health officer responsible for patient's case

417. Subsection (1) of section 229 places two duties on the relevant local authority (as defined in subsection (3)). First it must ensure that, as soon as reasonably practicable after the occurrence of any relevant event listed in section 232, a mental health officer is designated as the mental health officer having responsibility for the patient's case. Second, it must ensure that for as long as the patient is subject to any of the certificates, orders or directions listed in that section, a mental health officer is designated as having responsibility for that patient's case.
418. Subsection (2) provides that the relevant local authority may at any time designate a mental health officer to act in place of the mental health officer designated under subsection (1) for all purposes or for a particular purpose.