

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 16 – Medical Treatment

Urgent medical treatment where patient detained in hospital

Section 243: urgent medical treatment

457. [Section 243](#) applies to any patient whose detention in hospital is authorised under the 2003 Act or the 1995 Act. It describes the circumstances in which urgent medical treatment may be administered even to a patient who does not consent, or is incapable of consenting, to the treatment.
458. The section applies to any form of medical treatment (as defined in section 329(1), and authorises the treatment being given for any of the purposes set out in subsection (3). Subsection (4) imposes further restrictions on some of those purposes.
459. Subsection (5) prohibits the giving of ECT where the patient is capable of consenting but does not consent.
460. The responsible medical officer must notify the Commission within 7 days of the treatment first being given to the patient of the type of treatment given to a patient under this section and the purpose for which it was given.