



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

2003 asp 13

PART 23

GENERAL

328 Meaning of “mental disorder”

- (1) Subject to subsection (2) below, in this Act “mental disorder” means any—
- (a) mental illness;
 - (b) personality disorder; or
 - (c) learning disability,
- however caused or manifested; and cognate expressions shall be construed accordingly.
- (2) A person is not mentally disordered by reason only of any of the following—
- (a) sexual orientation;
 - (b) sexual deviancy;
 - (c) transsexualism;
 - (d) transvestism;
 - (e) dependence on, or use of, alcohol or drugs;
 - (f) behaviour that causes, or is likely to cause, harassment, alarm or distress to any other person;
 - (g) acting as no prudent person would act.