

*These notes relate to the Mental Health (Scotland) Act  
2015 (asp 9) which received Royal Assent on 4 August 2015*

# **MENTAL HEALTH (SCOTLAND) ACT 2015**

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## **EXPLANATORY NOTES**

### **THE STRUCTURE & A SUMMARY OF THE ACT**

#### **Part One – the 2003 Act**

#### ***Section 23: Consent to being named person***

#### **Amendment to [sections 250 and 257](#)**

73. At present, an individual may become a named person under section 251 of the 2003 Act without necessarily consenting to that role, albeit that he or she may decline to act. Section 23 of the Act makes provision for a person to be appointed as a named person by virtue of section 250 or 257, only if he or she has agreed to act as the person's named person and signed a docket to that effect. If no such signed and witnessed docket exists, the appointment of the named person is null and void.