SCOTTISH STATUTORY INSTRUMENTS

2002 No. 208

ADULTS WITH INCAPACITY

The Adults with Incapacity (Medical Treatment Certificates) (Scotland) Regulations 2002

Made	30th April 2002
Laid before the Scottish	
Parliament	3rd May 2002
Coming into force	1st July 2002

The Scottish Ministers, in exercise of the powers conferred by section 47(5) of the Adults with Incapacity (Scotland) Act 2000(1) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Adults with Incapacity (Medical Treatment Certificates) (Scotland) Regulations 2002 and come into force on 1st July 2002.

Medical treatment certificates

2. The certificate of a medical practitioner primarily responsible for the medical treatment of an adult for the purposes of section 47 of the Adults with Incapacity (Scotland) Act 2000 (authority of persons responsible for medical treatment) shall be in the form set out in the Schedule to these Regulations.

St Andrew's House, Edinburgh 30th April 2002

HUGH HENRY Authorised to sign by the Scottish Ministers **Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Regulation 2

Certificate of Incapacity under section 47 of the Adults with Incapacity (Scotland) Act 2000
I
of(address)
being the medical practitioner primarily responsible for the medical treatment of
of
for whom the guardian/welfare attorney/person appointed by intervention order/nearest relative/carer is
have today examined the patient named above. I am of the opinion that he/she is incapable in
terms of the Adults with Incapacity (Scotland) Act 2000 ("the Act") because of
in relation to a decision about the following medical treatment
This incapacity is likely to continue for months. I therefore consider it appropriate for medical treatment to be authorised by this certificate until//////
(a date not more than one year later than the date of the examination on which this certificate is
based) or until such earlier date as this certificate is revoked.
In assessing the capacity of the patient I have observed the principles set out in section 1 of the Act.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe, for the purposes of section 47 of the Adults with Incapacity (Scotland) Act 2000, the form of certificate of a medical practitioner primarily responsible for the medical treatment of an adult that that practitioner is of the opinion that the adult is incapable in relation to a decision about medical treatment. Medical treatment is defined in section 47(4) of the Act.