

*These notes relate to the Adults with Incapacity (Scotland)  
Act 2000 (asp 4) which received Royal Assent on 9 May 2000*

# **ADULTS WITH INCAPACITY (SCOTLAND) ACT 2000**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### **Part 5: Medical Treatment and Research**

##### ***Section 48: Exceptions to authority to treat***

180. This section provides for certain treatments to fall outside the general authority to give medical treatment to adults with incapacity.
181. Subsection (1) excludes treatments covered by Part X of the Mental Health (Scotland) Act 1984 from the general authority to treat.
182. Subsections (2) and (3) empower the Scottish Ministers to make regulations specifying a particular treatment or classes of treatment which will be excluded from the general authority to treat. The regulations may also make provision about the treatments to which the authority does apply, and the circumstances in which such treatments may be carried out.