

*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**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 15 – Preliminary Duties on the Making of Orders**

##### ***Section 230: appointment of patient’s responsible medical officer***

419. Subsection (1) of section 230 places a duty on the relevant managers (as defined in subsection (4)) to appoint as soon as is practicable after the occurrence of an “appropriate act” an approved medical practitioner to act as the patient’s responsible medical officer. The list of appropriate acts is given in subsection (4).
420. Subsection (2) provides that where an approved medical practitioner was acting as the patient’s responsible medical officer before an appropriate act took place, that approved medical practitioner may continue to act as that patient’s responsible medical officer.
421. Subsection (3) provides that the relevant managers may appoint an approved medical practitioner to act as the patient’s responsible medical officer in place of the existing responsible medical officer. They may also authorise an approved medical practitioner to act in the place of the patient’s responsible medical practitioner whether for a particular purpose or in particular circumstances. A definition of the relevant managers is given in subsection (4).