

*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

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 21 – Offences

Section 317: obstruction

628. **Section 317** makes it an offence to behave in a way which obstructs a person authorised to carry out functions under the 2003 Act and in particular to do so in any of the ways listed in subsection (1). The maximum penalty is 3 months' imprisonment or a fine not exceeding level 3 on the standard scale.
629. A patient who is the subject of any intervention under the 2003 Act cannot be guilty of the offence in relation to that intervention.