



Mental Health (Care and Treatment) (Scotland) Act 2003

2003 asp 13

PART 16 **S**

MEDICAL TREATMENT

Designated medical practitioners

233 Designated medical practitioners **S**

- (1) The Commission shall compile and maintain a list of medical practitioners who appear to the Commission to have such—
 - (a) qualifications; and
 - (b) experience,as the Commission considers appropriate for the purposes of discharging the functions conferred on designated medical practitioners by virtue of this Part of this Act.
- (2) A medical practitioner included for the time being in the list mentioned in subsection (1) above is referred to in this Act as a “designated medical practitioner”.
- (3) The Commission shall ensure that the list mentioned in subsection (1) above includes child specialists.
- (4) A designated medical practitioner may, for the purposes of discharging any functions conferred by virtue of this Part of this Act—
 - (a) interview a patient at any reasonable time and require any such interview to be conducted in private;
 - (b) carry out a medical examination of a patient in private at any reasonable time; and
 - (c) require any person holding medical records of a patient to produce such records for inspection by the designated medical practitioner.
- (5) A designated medical practitioner shall undertake such training as the Commission may require.

Changes to legislation: *Mental Health (Care and Treatment) (Scotland) Act 2003, Section 233 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (6) The Commission shall pay to designated medical practitioners for or in connection with the discharge of the functions conferred on them by virtue of this Part of this Act such fees, expenses and allowances as may be prescribed by regulations.

Commencement Information

- I1** S. 233 in force at 21.3.2005 for specified purposes by [S.S.I. 2005/161, art. 2, Sch. 1](#)
- I2** [S. 233](#) in force at 5.10.2005 in so far as not already in force by [S.S.I. 2005/161, art. 3](#) (as substituted (1.7.2005) by [S.S.I. 2005/375, art. 2](#) and as amended (22.9.2005) by [S.S.I. 2005/459, art. 2](#))

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[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 64(8A)(8B) inserted by [2015 asp 9 s. 1\(2\)](#)
- s. 65(7) inserted by [2015 asp 9 s. 1\(3\)](#)