



# Mental Health (Scotland) Act 2015

## 2015 asp 9

### PART 1

#### THE 2003 ACT

##### *Advance statements and patients' rights*

#### **30 Safeguarding the patient's interest**

- (1) The Mental Health (Care and Treatment) (Scotland) Act 2003 is amended as follows.
- (2) In section 245 (certificates under sections 235, 236, 239 and 241), in subsection (3)—
  - (a) the word “and” immediately preceding sub-paragraph (ii) of paragraph (a) is repealed,
  - (b) after sub-paragraph (ii) of paragraph (a) there is inserted—
    - “(iii) any guardian of the patient; and
    - (iv) any welfare attorney of the patient;”.