



Adults with Incapacity (Scotland) Act 2000

2000 asp 4

PART 5

MEDICAL TREATMENT AND RESEARCH

48 Exceptions to authority to treat

- (1) The authority conferred by section 47(2) does not extend to the giving of any of the forms of treatment to which Part X of the 1984 Act applies to a patient to whom that Part applies (which Part authorises certain treatments for mental disorder for certain patients detained under that Act).
- (2) The Scottish Ministers may by regulations specify medical treatment, or a class or classes of medical treatment, in relation to which the authority conferred by section 47(2) shall not apply and make provision about the medical treatment, or a class or classes of medical treatment, in relation to which that authority does apply.
- (3) Regulations made under subsection (2) may provide for the circumstances in which the specified medical treatment or specified class or classes of medical treatment may be carried out.