

*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 16 – Medical Treatment**

#### **Additional safeguards for certain informal patients**

#### *Section 245 to 247: certificates*

#### **Certificates under sections 235, 236, 239, and 241**

462. **Section 245** provides that before giving a certificate which allows treatment to proceed, the certifying medical practitioner must consult the patient, the patient's named person (where practicable) and those persons appearing to have the primary responsibility for the patient's medical treatment. The certificate must be copied to the Commission within 7 days.