



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

2003 asp 13

PART 15

PRELIMINARY DUTIES ON MAKING OF ORDERS ETC.

Designation of mental health officer

229 Designation of mental health officer responsible for patient's case

- (1) The relevant local authority—
 - (a) shall, as soon as is reasonably practicable after a relevant event occurs in respect of a patient, ensure that a mental health officer is designated as the mental health officer having responsibility for the patient's case; and
 - (b) shall ensure that, so long as the patient is subject to a certificate, order or direction mentioned in section 232 of this Act, a mental health officer is designated as such mental health officer.
- (2) The relevant local authority having responsibility under subsection (1) above may at any time designate—
 - (a) for all purposes; or
 - (b) for a particular purpose or for particular circumstances,a mental health officer in place of the mental health officer designated under that subsection.
- (3) In this section, "relevant local authority" means—
 - (a) as respects the making of an order mentioned in section 232 of this Act which does not authorise the detention of the patient in hospital, the local authority for the area in which the patient resides;
 - (b) as respects the granting of a certificate or the making of a direction mentioned in that section, or the making of an order mentioned in that section which authorises the detention of the patient in hospital—
 - (i) the local authority for the area in which the patient was resident immediately before the relevant event occurred; or

Status: This is the original version (as it was originally enacted).

- (ii) where the patient was not resident in Scotland immediately before the relevant event occurred, the local authority for the area in which the hospital is situated.