



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

## 2003 asp 13

### PART 5

#### EMERGENCY DETENTION

##### *Emergency detention certificate*

#### **37 Notification by medical practitioner**

- (1) Subject to subsection (3) below, a medical practitioner who grants an emergency detention certificate shall, when the certificate is given to the managers of the hospital in which the patient is to be detained under authority of the certificate, give notice to them of the matters mentioned in subsection (2) below.
- (2) Those matters are—
  - (a) the reason for granting the certificate;
  - (b) whether consent of a mental health officer was obtained to the granting of the certificate;
  - (c) if the certificate was granted without consent to its granting having been obtained from a mental health officer, the reason why it was impracticable to consult a mental health officer;
  - (d) the alternatives to granting the certificate that were considered by the medical practitioner; and
  - (e) the reason for the medical practitioner determining that any such alternative was inappropriate.
- (3) If it is impracticable for notice to be given when the certificate is given to the managers, the medical practitioner shall give notice as soon as practicable after that time.