



# Patient Rights (Scotland) Act 2011

## 2011 asp 5

### *Charter of Patient Rights and Responsibilities*

#### **2 Review and revision of Charter**

- (1) The Scottish Ministers must carry out a review of the Charter at least once in any period of 5 years.
- (2) The purposes of a review under subsection (1) are—
  - (a) to ensure that the Charter continues to accurately summarise the rights and responsibilities of patients and relevant persons (as existing at the date of review), and
  - (b) to assess how effective the Charter is in raising awareness of the rights and responsibilities of patients and relevant persons.
- (3) When reviewing the Charter under subsection (1), the Scottish Ministers must also review how effective the arrangements for the publication and distribution of the Charter have been in promoting awareness of the Charter and, if they consider it appropriate, take such steps as they consider necessary to improve those arrangements.
- (4) In carrying out a review under subsections (1) and (3) the Scottish Ministers must consult such persons as they consider appropriate.
- (5) The first review under subsection (1) must be completed not later than 5 years from the date on which the Charter is published under section 1(1).
- (6) The Scottish Ministers must revise the Charter where, following a review under subsection (1), the Scottish Ministers consider that the Charter—
  - (a) does not accurately summarise the rights and responsibilities of patients and relevant persons, or
  - (b) is not sufficiently effective in raising awareness of the rights and responsibilities of patients and relevant persons.
- (7) The Scottish Ministers may revise the Charter at any other time if they consider it appropriate to do so (whether following a review under subsection (1) or otherwise).
- (8) Where the Scottish Ministers revise the Charter under subsection (6) or (7), they must—

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*Changes to legislation: There are currently no known outstanding effects for the Patient Rights (Scotland) Act 2011, Section 2. (See end of Document for details)*

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- (a) publish it as so revised (in such form and manner as they consider appropriate),
  - (b) notify each relevant NHS body of the publication of the Charter as so revised.
- (9) Before publishing the Charter under subsection (8)(a), the Scottish Ministers must—
- (a) consult such persons as they consider appropriate, and
  - (b) lay a copy of the Charter before Parliament.
- (10) In this Act, a reference to the Charter is a reference to the Charter as it may be revised from time to time.

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**Commencement Information**

**II** [S. 2](#) in force at 1.4.2012 by [S.S.I. 2012/35](#), [art. 2\(a\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Patient Rights (Scotland) Act 2011, Section 2.