
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 452

**The Mental Health (Care and Treatment) (Scotland) Act
2003 (Transitional and Savings Provisions) Order 2005**

PART 11

GENERAL

Mental Health Officer

39.—(1) Relevant local authorities within the meaning of section 229 of the 2003 Act shall as soon as reasonably practicable after 5th October 2005 ensure that a mental health officer is designated as the mental health officer having responsibility for each existing patient's and each existing community patient's case.

(2) Where on 5th October 2005 any existing patient has not yet been interviewed by a mental health officer in accordance with section 22(3) of the 1984 Act, or if a social circumstances report has not yet been provided in respect of that patient, that patient's mental health officer shall interview the patient and prepare a social circumstances report as mentioned in section 231 of the 2003 Act as soon as reasonably practicable.