

*These notes relate to the Mental Health (Scotland) Act
2015 (asp 9) which received Royal Assent on 4 August 2015*

MENTAL HEALTH (SCOTLAND) ACT 2015

EXPLANATORY NOTES

THE STRUCTURE & A SUMMARY OF THE ACT

Part One – the 2003 Act

Section 22: Named person not to be automatic

Amendment to [section 251](#), [253](#) and [318](#)

72. [Section 22](#) repeals section 251 and 253 so that the carer or relative does not become a named person by virtue of those sections if the patient does not nominate a named person. Therefore a patient aged 16 or over will only have a named person if they choose one. A consequential amendment is made to section 318 and to the definition of named person in section 329 of the 2003 Act.