



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

## 2003 asp 13

### PART 18

#### MISCELLANEOUS

##### *Advance statements*

#### [<sup>F1</sup>276A Advance statements to be put with medical records

- (1) Subsection (2) below applies where a Health Board receives a copy of an advance statement, or a copy of a document withdrawing an advance statement, from—
  - (a) the person who made the statement, or
  - (b) any individual acting with the person's authority in relation to the statement.
- (2) The Health Board must—
  - (a) place a copy of the statement or document with the person's medical records, and
  - (b) inform the Commission—
    - (i) that a copy of the statement or document is held with the person's medical records, and
    - (ii) of the premises at which the medical records are kept (and the personal and administrative details essential for identifying the records as the person's).]

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#### Textual Amendments

- F1** Ss. 276A-276C inserted (30.6.2017) by [Mental Health \(Scotland\) Act 2015 \(asp 9\)](#), ss. 26(2), 61(2); S.S.I. 2017/197, art. 2, sch.

**Changes to legislation:**

Mental Health (Care and Treatment) (Scotland) Act 2003, Section 276A is up to date with all changes known to be in force on or before 03 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 64(8A)(8B) inserted by [2015 asp 9 s. 1\(2\)](#)
- s. 65(7) inserted by [2015 asp 9 s. 1\(3\)](#)