



# Mental Health (Scotland) Act 1984

## 1984 CHAPTER 36

### PART V

#### ADMISSION TO AND DETENTION IN HOSPITAL AND GUARDIANSHIP

##### *Supplementary*

#### **58 Regulations for purposes of Part V.**

The Secretary of State may make regulations for prescribing anything which, under this Part of this Act, is required or authorised to be prescribed.

#### **59 Interpretation of Part V.**

- (1) In this Part of this Act the expression “responsible medical officer” means—
  - (a) in relation to a patient who is liable to be detained in a hospital, any medical practitioner employed on the staff of that hospital who may be authorised by the managers to act (either generally or in any particular case or class of case or for any particular purpose) as the responsible medical officer;
  - (b) in relation to a patient subject to guardianship, any medical practitioner authorised by the local authority to act (either generally or in any particular case or class of case or for any particular purpose) as the responsible medical officer.
- (2) In relation to a patient who is subject to guardianship under this Part of this Act, any reference in this Act to the local authority concerned is a reference—
  - (a) where a guardianship application is effective, to the local authority to whom that application is addressed;
  - (b) where the patient has been transferred to guardianship by the managers of a hospital under section 29(1) of this Act, to the local authority who received him into guardianship or approved his guardian.

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*Status: Point in time view as at 31/03/1996.*

*Changes to legislation: Mental Health (Scotland) Act 1984, Cross Heading: Supplementary is up to date with all changes known to be in force on or before 20 June 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. (See end of Document for details)*

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(3) In this Act the expression “absent without leave” means absent from any hospital or other place and liable to be taken into custody and returned under section 28 or 44 of this Act, and kindred expressions shall be construed accordingly.

[<sup>F1</sup>(4) In this Part of this Act, “court holidays” means any day which is a court holiday by virtue of section 10(2) of the Bail Etc (Scotland) Act 1980.]

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**Textual Amendments**

**F1** S. 59(4) added (9.3.1992) by Mental Health (Detention) (Scotland) Act 1991 (c. 47, SIF 85), s. 3(5); S.I. 1992/357, art.2

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