STATUTORY INSTRUMENTS

1975 No. 828 (S. 135)

MENTAL HEALTH

The Mental Health (Guardianship) (Scotland) Amendment Regulations 1975

Made - - - -	*8th May* 1975
Laid before Parliament	*21st May* 1975
Coming into Operation	*11th June* 1975

In exercise of the powers conferred on me by sections 29, 33, 52 and 110 of the Mental Health (Scotland) Act 1960(**a**), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Mental Health (Guardianship) (Scotland) Amendment Regulations 1975 and shall come into operation on 11th June 1975.

(2) In these regulations, "the principal regulations" means the Mental Health (Guardianship) (Scotland) Regulations 1962(**b**).

(3) The Interpretation Act 1889(**c**) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Amendment of principal regulations

2. In the principal regulations, for the words "local health authority" wherever they appear there shall be substituted the words "local authority".

3. Regulation 2 (interpretation) of the principal regulations shall be amended as follows:—

(*a*) in paragraph (2), for the definition of "responsible medical officer" there shall be substituted the following definition—

" "responsible medical officer" in relation to a patient subject to guardianship means any medical practitioner authorised by the local authority concerned to act (either generally or in any particular case or class of case or for any particular purpose) as the responsible medical officer.";

(*b*) for paragraph (3) there shall be substituted the following paragraph—

"(3) In these regulations, unless the context otherwise requires, references to any enactment shall be construed as references to that enactment as amended or re-enacted by any subsequent enactment."

William Ross,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.
8th May 1975.

(**a**) 1960 c. 61.
(**b**) S.I. 1962/614 (1962 I, p. 581).
(**c**) 1889 c. 63.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Mental Health (Guardianship) (Scotland) Regulations 1962 consequential on amendments to the Mental Health (Scotland) Act 1960 contained in the National Health Service (Scotland) Act 1972. In particular they re-define responsible medical officer to mean any medical practitioner authorised to act as such by the local authority concerned. Further minor amendment is also made to the provisions of the principal regulations dealing with interpretation.

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