SCOTTISH STATUTORY INSTRUMENTS

2005 No. 205

MENTAL HEALTH

The Mental Welfare Commission for Scotland (Authorised Persons) Regulations 2005

Made - - - -	*4th April 2005*
Laid before the Scottish Parliament - - - -	*7th April 2005*
Coming into force - -	*5th October 2005*

The Scottish Ministers, in exercise of the powers conferred by section 15(2)(b) of the Mental Health (Care and Treatment) (Scotland) Act 2003(**1**) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Mental Welfare Commission for Scotland (Authorised Persons) Regulations 2005 and shall come into force on 5th October 2005.

Authorised persons of the Mental Welfare Commission for Scotland

2. For the purposes of section 15(2)(b) of the Mental Health (Care and Treatment) (Scotland) Act 2003 (the qualifications, experience and training of a member of the staff of the Mental Welfare Commission for Scotland who may be authorised by the Commission to carry out a medical examination of a patient), an authorised person shall be a medical practitioner and either–

(a) a member or fellow of the Royal College of Psychiatrists; or

(b) have a minimum of four years whole-time equivalent experience of providing psychiatric services.

3. For the purposes of regulation 2(b) whole-time equivalent will be calculated by multiplying the full length of the person's experience by the following fraction:–

$$\frac{\textit{person's hours of employment each week}}{\textit{hours constituting comparable whole-time employment}}$$

(**1**) 2003 asp 13