

The Mental Health (Care and Treatment) (Scotland) Act 2003 (Qualifications, experience and training of approved medical practitioners) Direction 2005

The Scottish Ministers, in exercise of the power conferred by section 22(1)(a) of the Mental Health (Care and Treatment) (Scotland) Act 2003^(a), hereby give the following direction:—

Citation and commencement

1. This direction may be cited as the Mental Health (Qualifications, experience and training of approved medical practitioners) Direction 2005 and shall come into force on 1st May 2005.

Interpretation

2.—(1) In this direction—

“the 2003 Act” means the Mental Health (Care and Treatment) (Scotland) Act 2003;

“applicant” means a medical practitioner seeking to be included in a list of medical practitioners under section 22(1) of the 2003 Act; and

“whole-time equivalent” is to be calculated in accordance with sub-paragraph (2) below.

(2) Whole-time equivalent will be calculated by multiplying the full length of the person’s experience by the following fraction:

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

Requirements

3. The following paragraphs specify the requirements as to the matters mentioned in section 22(1)(a) of the 2003 Act which are directed to be satisfied by an applicant before that person is eligible to be approved by a Health Board or the State Hospitals Board for Scotland^(b) under section 22(1)(b) of that Act for inclusion in a list of medical practitioners compiled and maintained by that Board.

Qualifications and experience

4. An applicant must satisfy either sub-paragraph (a) or (b)—

(a) the applicant is either a Member or Fellow of the Royal College of Psychiatrists (MRCPsych or FRCPsych); or

(b) the applicant has a minimum of 4 years’ whole-time equivalent experience of working in psychiatric services as a medical practitioner.

(a) 2003 asp 13.

(b) The State Hospitals Board for Scotland was constituted by the State Hospitals Board for Scotland Order 1995 (S.I. 1995/574), amended by S.I. 2003/242.

Training

5. The applicant must have successfully completed a training course for which materials have been developed by the Scottish Ministers and compiled with reference to the 2003 Act, in consultation with the Royal College of Psychiatrists.

Rhona Branigan

Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh

29th April 2005

EXPLANATORY NOTE

(This note is not part of the Direction)

Section 22(1) of the Mental Health (Care and Treatment) (Scotland) Act 2003 (“the Act”) requires each Health Board and the State Hospitals Board for Scotland to compile and maintain a list of approved medical practitioners to discharge in their area the functions of approved medical practitioners under the Act.

Section 22(1)(a) of the Act provides that in order to be included in such a list, a medical practitioner must meet such requirements as the Scottish Ministers may direct as to qualifications, experience and training.

This direction specifies those requirements which must be satisfied by a medical practitioner seeking approval for inclusion in a list of approved medical practitioners.

This direction is published on the website www.scotland.gov.uk and copies can be obtained from the Scottish Executive Health Department, Mental Health Division, St Andrew’s House, Edinburgh, EH1 3DG.