

SCHEDULE 6

TRANSITORY AMENDMENTS OF THE MENTAL HEALTH (SCOTLAND) ACT 1984

- 3 In section 64 (appeal by patient subject to restriction order)—
- (a) in subsection (1)—
 - (i) after “shall” insert “, subject to subsection (2) of this section,”;
 - (ii) after “is”, where first occurring, insert “not”;
 - (iii) in each of paragraphs (a) and (b) omit “not”;
 - (iv) omit “and (in either case)” and paragraph (c);
 - (b) in subsection (2)—
 - (i) for “(1)” substitute “(A1)”;
 - (ii) after “is”, where secondly occurring, insert “not”;
 - (iii) for the words from “not” to “subsection”, where thirdly occurring, substitute “is satisfied that it is appropriate for the patient to remain liable to be recalled to hospital for further treatment”.