Mental Health (Scotland) Act 2015
2015 asp 9

MENTAL HEALTH (SCOTLAND) ACT 2015

PART 1
THE 2003 ACT

Procedure for compulsory treatment

1 Measures until application determined
2 Information where order extended
3 Transfer to another hospital

Emergency, short-term and temporary steps

4 Emergency detention in hospital
5 Short-term detention in hospital
6 Meaning of temporary compulsion

Suspension of orders and measures

7 Suspension of orders on emergency detention
8 Suspension of orders on short-term detention
9 Suspension of detention for certain purposes
10 Maximum suspension of particular measures

Specification of hospital units

11 Specification for detention measures
12 Transfer of prisoner to hospital unit
13 Transfer from specified unit

Orders regarding level of security

14 Requirement for medical report
15 Process for enforcement of orders
16 Orders relating to non-state hospitals
17 Section 16: exercise of powers before commencement
Meaning of hospital in sections 264 to 273 of the 2003 Act

Removal and detention of patients

Notifying decisions on removal orders
Detention pending medical examination

Periodical referral of cases

Periodical referral of cases

Representation by named persons

Named person not to be automatic
Consent to being named person
Appointment of named person
Ability to act if no named person

Advance statements and patients’ rights

Advance statements to be registered
Information about advocacy services
Communication at medical examination etc.
Conflicts of interest to be avoided
Safeguarding the patient’s interest

Services and accommodation for mothers

Services and accommodation for mothers

Cross-border transfers and absconding patients

Cross-border transfer of patients
Dealing with absconding patients

Arrangements for treatment of prisoners

Agreement to transfer of prisoners
Compulsory treatment of prisoners

Provision of information by the Commission

Provision of information by the Commission

Review of deaths of patients in hospital for treatment

Review of deaths of patients in hospital for treatment

PART 2
CRIMINAL CASES

Making and effect of disposals

Making certain orders in remand cases
Detention under compulsion orders
Periods for assessment orders
Periods for treatment orders
Periods for short-term compulsion
43 Periods for compulsion orders
44 Periods for hospital directions

Variation of certain orders

45 Variation of interim compulsion orders
46 Transfer of patient to suitable hospital

Specification of hospital units

47 Specification of unit
48 Transfer from specified unit
49 Consequential repeals

Miscellaneous amendments

50 Information on extension of compulsion order
51 Notification of changes to compulsion order
52 Effect of revocation of restriction order
53 Clarification of meaning of compulsion order

PART 3

VICTIMS’ RIGHTS

Information and representations

54 Right to information: offender imprisoned
55 Right to information: compulsion order
56 Right to make representations

Additional provisions

57 Information sharing
58 Associated definitions
59 Power to make modifications
60 Amendments to the 2003 Act

PART 4

COMMENCEMENT AND SHORT TITLE

61 Commencement
62 Short title