



Mental Health (Scotland) Act 2015

2015 asp 9

PART 1

THE 2003 ACT

Removal and detention of patients

19 Notifying decisions on removal orders

- (1) The Mental Health (Care and Treatment) (Scotland) Act 2003 is amended as follows.
- (2) After section 295 there is inserted—

“295A Notification of decision under section 293 or 295

- (1) Subsection (2) below applies in relation to a decision of a sheriff or a justice of the peace under section 293 of this Act making, or refusing to make, a removal order.
- (2) As soon as practicable after the decision is made, the mental health officer who made the application for the removal order must notify the Commission of the decision.
- (3) Subsection (4) below applies in relation to a decision of a sheriff under section 295 of this Act making, or refusing to make, an order recalling or varying a removal order.
- (4) As soon as practicable after the decision is made, the mental health officer specified in the removal order must notify the Commission of—
 - (a) the decision, and
 - (b) any additional order made under subsection (6) of section 295 of this Act.”.