
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 467

The Mental Health (Cross border transfer:
patients subject to detention requirement or
otherwise in hospital) (Scotland) Regulations 2005

PART III

RECEPTION OF PERSONS IN SCOTLAND

Responsible medical officer's duty to revoke: emergency detention certificate and short term detention certificate

37.—(1) This regulation applies in respect of a patient who has become treated as if they are subject to an emergency detention certificate or a short-term detention certificate by virtue of regulation 30.

(2) If having carried out the assessment required by regulation 36(1) the patient's responsible medical officer is not satisfied that—

- (a) the conditions mentioned in regulation 36(4)(b) continue to be met in respect of the patient;
or
- (b) that it continues to be necessary for the detention in hospital of the patient to be authorised by the certificate,

the responsible medical officer shall revoke the certificate.