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SCOTTISH STATUTORY INSTRUMENTS

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**2017 No. 197 (C. 17)**

**MENTAL HEALTH**

The Mental Health (Scotland) Act 2015 (Commencement  
No. 4 and Transitional and Savings Provisions) Order 2017

<i>Made</i> - - - -	<i>9th June 2017</i>
<i>Laid before the Scottish Parliament</i> - -	<i>13th June 2017</i>
<i>Coming into force</i>	<i>30th June 2017</i>

THE MENTAL HEALTH (SCOTLAND) ACT 2015  
(COMMENCEMENT NO. 4 AND TRANSITIONAL  
AND SAVINGS PROVISIONS) ORDER 2017

*PRELIMINARY*

1. Citation, commencement and interpretation
2. Appointed day

*TRANSITIONAL AND SAVINGS PROVISION*

*COMPULSORY TREATMENT ORDERS AND COMPULSION ORDERS*

3. Section 87A of the 2003 Act: further information where compulsory treatment order extended
4. Section 153A of the 2003 Act: further information on extension of compulsion order

*EMERGENCY AND SHORT-TERM DETENTION*

5. Emergency detention in hospital: exclusion for patients where section 113(5) of the 2003 Act applies
6. Section 46 of the 2003 Act: notification by hospital managers

*SUSPENSION OF ORDERS AND MEASURES*

7. Section 43 of the 2003 Act: suspension of orders during emergency detention
8. Section 56 of the 2003 Act: suspension of orders during short-term detention

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

9. Section 10 of the Act: suspension of detention and other measures

*REMOVAL AND DETENTION OF PATIENTS*

10. Section 295A of the 2003 Act: notification of decisions under section 293 or 295  
11. Section 299 of the 2003 Act: nurse's power to detain pending medical examination

*PERIODICAL REFERRAL OF CASES*

12. Periodical referral of cases: amendments made by section 21 of the Act

*NAMED PERSONS*

13. Named persons in respect of patients subject to relevant orders: savings and cessation  
14. Named persons acting under article 13(2): review of relevant order after 30th September 2017  
15. Named persons: declaration in relation to a named person acting under article 13  
16. Appointment of named persons: amendments made by section 23 of the Act

*ARRANGEMENTS FOR TREATMENT OF PRISONERS*

17. Compulsory treatment of prisoners: amendments made by section 35 of the Act

*PROVISION OF INFORMATION BY THE COMMISSION*

18. Provision of information by the Commission: amendments made by section 36 of the Act

*CRIMINAL CASES*

19. Periods for assessment orders: amendments made by section 40 of the Act  
20. Periods for treatment orders: amendments made by section 41 of the Act  
21. Periods for short-term compulsion: amendments made by section 42 of the Act  
22. Periods for compulsion orders: amendments made by section 43 of the Act  
23. Periods for hospital directions: amendments made by section 44 of the Act  
24. Consequential repeals: section 49 of the Act  
25. Effect of revocation of restriction order: amendments made by section 52 of the Act  
Signature

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SCHEDULE  
Explanatory Note