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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 381**

**The Mental Health (Removal  
Order) (Scotland) Regulations 2005**

**Citation and commencement**

1. These Regulations may be cited as the Mental Health (Removal Order) (Scotland) Regulations 2005 and shall come into force on 5th October 2005.

**Persons to be afforded the opportunity to be heard by sheriff**

2. The persons prescribed for the purposes of section 293(6)(b) (removal order) of the Mental Health (Care and Treatment) (Scotland) Act 2003 are:

- (a) the nearest relative of the person;
- (b) any guardian of the person;
- (c) any welfare attorney of the person;
- (d) any primary carer of the person.

St Andrew's House, Edinburgh  
8th July 2005

*LEWIS MACDONALD*  
Authorised to sign by the Scottish Ministers