
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 II

REMOVAL OF PATIENTS FROM SCOTLAND

Appeal to the Court of Session against certain decisions of the Tribunal

15.—(1) Subject to the modifications in paragraph (2), where the patient is subject to—

- (a) a compulsion order and restriction order;
- (b) a hospital direction;
- (c) a transfer for treatment direction,

section 322 of the 2003 Act applies to decisions of the Tribunal to make or refuse to make an order under regulation 13(2) as it applies to decisions of the Tribunal to make or refuse to make such an order under section 219(5) or 220(5) of the 2003 Act.

(2) In section 322(3)—

- (a) omit paragraphs (b) to (d);
- (b) omit “and”; and
- (c) after “Scottish Ministers” insert—
 - “;
 - (f) the patient’s mental health officer; and
 - (g) the patient’s responsible medical officer.”.