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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 333**

**The Mental Health (Absconding Patients from  
Other Jurisdictions) (Scotland) Regulations 2008**

**Application of section 302 of the 2003 Act**

5. In the application of section 302 of the 2003 Act to a person mentioned in regulation 4—
- (a) references to a patient shall be construed as references to a person as mentioned in regulation 4.
  - (b) subject to paragraph (d), references to an order, certificate, condition, power or requirement, whether or not by reference to any provision of the 2003 Act, shall be construed as references to the measure in the relevant territory which most closely corresponds to such an order, certificate, condition, power or requirement;
  - (c) references to a hospital shall be construed as including references to a hospital as defined under the law of a relevant territory;
  - (d) in subsections (4), (5) and (6), references to a condition requiring that a patient be kept in the charge of an authorised person, and references to a patient who absconds from the charge of that authorised person, shall not apply.