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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 356**

The Mental Health (England and Wales Cross-border transfer: patients subject to requirements other than detention) (Scotland) Regulations 2008

PART III

RECEPTION OF PERSONS IN SCOTLAND

**Future treatment of patient**

**33.**—(1) Subject to paragraph (2), and the other specific modifications made by these Regulations, the 2003 Act or, as the case may be, the 1995 Act shall apply to patients received in Scotland as they apply to patients whose treatment commenced in Scotland.

(2) Where the assessment carried out under regulation 25 takes place during the specified period in respect of the sections of the 2003 Act listed in paragraph (3) the review required by those sections need not take place.

(3) The sections referred to in paragraph (2) are—

- (a) section 77(2) first mandatory review);
- (b) section 78(2) (further mandatory review);
- (c) section 139(2) (first review of compulsion order); and
- (d) section 140(2) (further reviews of compulsion order).

(4) In this regulation the “specified period” means the period specified in the sections listed in paragraph (3).