
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 229

The Mental Health (Cross-border transfer: patients subject to detention requirement or otherwise in hospital) (Scotland) Amendment Regulations 2017

PART 2

Amendments to the principal Regulations

CHAPTER 3

Amendments to Part 3 (Reception of patients in Scotland)

New regulation 36A

26. After regulation 36 of the principal Regulations insert—

“Interpretation of regulation 36(3): conflict of interest

36A.—(1) For the purposes of regulation 36(3), there is to be taken to be a conflict of interest in relation to the medical examination of a patient if the medical practitioner who carries out the examination is related to the patient in any degree specified in the schedule of the Conflict of Interest Regulations.

(2) Any enactment which governs the interpretation of the schedule of the Conflict of Interest Regulations for those Regulations’ own purposes also governs the interpretation of the schedule for the purposes of regulation 36(3).

(3) In this regulation, “the Conflict of Interest Regulations” means the Mental Health (Conflict of Interest) (Scotland) Regulations 2017(1).”.