
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 232

The Mental Health (Cross-border transfer: patients subject to requirements other than detention) (Scotland) Regulations 2017

PART 2

Amendments to the principal Regulations

CHAPTER 2

Amendment to Part 2 (Removal of patients from Scotland)

Amendment of regulation 9

9.—(1) In regulation 9 of the principal Regulations (appeal from Tribunal), after paragraph (3) insert—

“(4) In relation to a case in which section 320 or 321 of the 2003 Act applies by virtue of this regulation, subsection (5) of section 257A of the 2003 Act⁽¹⁾ (ability to act if no named person) is to be ignored.”.

(1) Section 257A of the Mental Health (Care and Treatment) (Scotland) Act 2003 is inserted by the Mental Health (Scotland) Act 2015, section 25.