

SCHEDULES

SCHEDULE 3

TRANSFERS WITHIN THE BRITISH ISLANDS OF RESPONSIBILITY FOR OFFENDERS CONDITIONALLY DISCHARGED FROM HOSPITAL

PART II

AMENDMENTS OF THE 1984 ACT

Transfers from Scotland to Northern Ireland

7 After section 80 of the 1984 Act there shall be inserted the following section—

“80A Transfer of responsibility for patients to Northern Ireland

- (1) If it appears to the Secretary of State, in the case of a patient who—
- (a) is subject to a restriction order under section 59 of the Criminal Procedure (Scotland) Act 1995; and
 - (b) has been conditionally discharged under section 64 or 68 of this Act,
- that a transfer under this section would be in the interests of the patient, the Secretary of State may, with the consent of the Minister exercising corresponding functions in Northern Ireland, transfer responsibility for the patient to that Minister.
- (2) Where responsibility for such a patient is transferred under this section, the patient shall be treated—
- (a) as if on the date of the transfer he had been conditionally discharged under the corresponding enactment in force in Northern Ireland; and
 - (b) as if he were subject to a restriction order under the corresponding enactment in force in Northern Ireland.”