
STATUTORY INSTRUMENTS

2005 No. 2078 (S.9)

**CONSTITUTIONAL LAW
DEVOLUTION, SCOTLAND
MENTAL HEALTH**

**The Mental Health (Care and Treatment) (Scotland)
Act 2003 (Consequential Provisions) Order 2005**

*Made - - - - 21st July 2005
Coming into force in accordance with article 1(1)
and (2)*

**THE MENTAL HEALTH (CARE AND TREATMENT) (SCOTLAND)
ACT 2003 (CONSEQUENTIAL PROVISIONS) ORDER 2005**

1. Citation, commencement, interpretation and extent
2. Removal to England and Wales of hospital patients from Scotland
3. Transfer of patients to England and Wales from Scotland: conditional discharge
4. Removal to Northern Ireland of hospital patients from Scotland
5. Transfer of patients to Northern Ireland from Scotland: conditional discharge
6. Removal to Scotland of hospital patients from Northern Ireland
7. Transfer of patients to Scotland from Northern Ireland: conditional discharge
8. Patients absent from hospitals in Scotland
9. Patients absent from hospitals in Northern Ireland
10. Assisting patients to absent themselves without leave etc.
11. Provisions as to custody, removal and detention
12. Protection for acts done under this Order
13. Persons detained under immigration law
14. Mental health services provided by local authorities
15. Modifications
16. Repeals and saving
Signature

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 1 — MODIFICATION OF PUBLIC GENERAL ACTS

Representation of the People Act 1983 (c. 2)

1. (1) The Representation of the People Act 1983 is amended...

Mental Health Act 1983 (c. 20)

2. (1) The Mental Health Act 1983 is amended as follows....

Insolvency Act 1986 (c. 45)

3. (1) The Insolvency Act 1986 is amended as follows.

Social Security Contributions and Benefits Act 1992 (c. 4)

4. (1) The Social Security Contributions and Benefits Act 1992 is...

Immigration and Asylum Act 1999 (c. 33)

5. In section 156(7) of the Immigration and Asylum Act 1999...

Nationality, Immigration and Asylum Act 2002 (c. 41)

6. In section 46 of the Nationality, Immigration and Asylum Act...

Sexual Offences Act 2003 (c. 42)

7. In section 133(1) of the Sexual Offences Act 2003 (Part...

SCHEDULE 2 — MODIFICATION OF STATUTORY INSTRUMENTS

Mental Health (Hospital, Guardianship and Consent to Treatment) Regulations 1983 (S.I. 1983/893)

1. In regulation 11(1) of the Mental Health (Hospital, Guardianship and...

Mental Health (Northern Ireland) Order 1986 (S.I. 1986/595)

2. (1) The Mental Health (Northern Ireland) Order 1986 is amended...

Income Support (General) Regulations 1987 (S.I. 1987/1967)

3. (1) The Income Support (General) Regulations 1987 are amended as...

Housing Benefit (General) Regulations 1987 (S.I. 1987/1971)

4. (1) The Housing Benefit (General) Regulations 1987 are amended as...

Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405)

5. In article 348A(3)(c) of the Insolvency (Northern Ireland) Order 1989...

National Health Service Trusts (Membership and Procedure) Regulations 1990 (S.I. 1990/2024)

6. In regulation 1(2) of the National Health Service Trusts (Membership...

Radioactive Substances (Hospitals) Exemption Order 1990 (S.I. 1990/2512)

7. In article 2(1) of the Radioactive Substances (Hospitals) Exemption Order...

Income Tax (Building Societies) (Dividends and Interest) Regulations 1990 (S.I. 1990/2231)

8. In regulation 2(1) of the Income Tax (Building Societies) (Dividends...

Income Tax (Deposit-Takers) (Interest Payments) Regulations 1990 (S.I. 1990/2232)

9. In regulation 2 of the Income Tax (Deposit-Takers) (Interest Payments)...

Savings Certificates Regulations 1991 (S.I. 1991/1031)

10. In regulation 33(a) of the Savings Certificates Regulations 1991 (application...

Savings Certificates (Children's Bonus Bonds) Regulations 1991 (S.I. 1991/1407)

11. In regulation 29(a) of the Savings Certificates (Children's Bonus Bonds)...

Social Security (Attendance Allowance) Regulations 1991 (S.I. 1991/2740)

12. In regulation 7(1)(a)(ii) of the Social Security (Attendance Allowance) Regulations...

Social Security (Disability Living Allowance) Regulations 1991 (S.I. 1991/2890)

13. (1) The Social Security (Disability Living Allowance) Regulations 1991 are...

Council Tax Benefit (General) Regulations 1992 (S.I. 1992/1814)

14. (1) The Council Tax Benefit (General) Regulations 1992 are amended...

Child Support (Maintenance Assessments and Special Cases) Regulations 1992 (S.I. 1992/1815)

15. In regulation 1(2) of the Child Support (Maintenance Assessments and...

Redundancy Payments (National Health Service) (Modification) Order 1993 (S.I. 1993/3167)

16. In Schedule 1 of the Redundancy Payments (National Health Service)...

Jobseeker's Allowance Regulations 1996 (S.I. 1996/207)

17. (1) The Jobseeker's Allowance Regulations 1996 are amended as follows...

Courts-Martial and Standing Civilian Courts (Army and Royal Air Force) (Additional Powers on Trial of Civilians) Regulations 1997 (S.I. 1997/579)

18. In regulation 2 of the Courts-Martial and Standing Civilian Courts...

Individual Savings Account Regulations 1998 (S.I. 1998/1870)

19. In regulation 12(13) of the Individual Savings Account Regulations 1998...

Asylum Support Regulations 2000 (S.I. 2000/704)

20. In regulation 23(1)(e) of the Asylum Support Regulations 2000 (meaning...

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Child Support (Maintenance Calculations and Special Cases) Regulations 2000 (S.I. 2001/155)

21. In regulation 1(2) of the Child Support (Maintenance Calculations and...

State Pension Credit Regulations 2002 (S.I. 2002/1792)

22. (1) The State Pension Credit Regulations 2002 are amended as...

Child Benefit (General) Regulations 2003 (S.I. 2003/493)

23. In regulation 1(2) of the Child Benefit (General) Regulations 2003...

Guardian's Allowance (General) Regulations 2003 (S.I. 2003/495)

24. In regulation 7(1)(b)(iv) of the Guardian's Allowance (General) Regulations 2003...

Community Care, Services for Carers and Children's Services (Direct Payments) (England) Regulations 2003 (S.I. 2003/762)

25. (1) The Community Care, Services for Carers and Children's Services...

Communications (Television Licensing) Regulations 2004 (S.I. 2004/692)

26. (1) The Communications (Television Licensing) Regulations 2004 are amended as...

Community Care, Services for Carers and Children's Services (Direct Payments) (Wales) Regulations 2004 (S.I. 2004/1748)

27. (1) The Community Care, Services for Carers and Children's Services...

SCHEDULE 3 — *REPEALS*

Explanatory Note