



Mental Health (Care and Treatment) (Scotland) Act 2003

2003 asp 13

PART 19

ENTRY, REMOVAL AND DETENTION POWERS

Removal to place of safety

[^{F1}295A Notification of decision under section 293 or 295

- (1) Subsection (2) below applies in relation to a decision of a sheriff or a justice of the peace under section 293 of this Act making, or refusing to make, a removal order.
- (2) As soon as practicable after the decision is made, the mental health officer who made the application for the removal order must notify the Commission of the decision.
- (3) Subsection (4) below applies in relation to a decision of a sheriff under section 295 of this Act making, or refusing to make, an order recalling or varying a removal order.
- (4) As soon as practicable after the decision is made, the mental health officer specified in the removal order must notify the Commission of—
 - (a) the decision, and
 - (b) any additional order made under subsection (6) of section 295 of this Act.]

Textual Amendments

- F1** S. 295A inserted (30.6.2017) by [Mental Health \(Scotland\) Act 2015 \(asp 9\)](#), ss. 19, 61(2); S.S.I. 2017/197, art. 2, sch. (with art. 10)

Changes to legislation:

Mental Health (Care and Treatment) (Scotland) Act 2003, Section 295A is up to date with all changes known to be in force on or before 18 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 64(8A)(8B) inserted by [2015 asp 9 s. 1\(2\)](#)
- s. 65(7) inserted by [2015 asp 9 s. 1\(3\)](#)