



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

## 2003 asp 13

### PART 19

#### ENTRY, REMOVAL AND DETENTION POWERS

##### *Removal to place of safety*

#### **296 No appeal against decision under section 293 or 295**

No appeal shall be competent against—

- (a) a decision of a sheriff under—
  - (i) section 293(1) of this Act making, or refusing to make, a removal order; or
  - (ii) section 295 of this Act making, or refusing to make, an order recalling or varying a removal order; or
- (b) a decision of a justice of the peace under section 293(1) of this Act making, or refusing to make, a removal order.

#### **Commencement Information**

- II** S. 296 in force at 5.10.2005 by [S.S.I. 2005/161](#), **art. 3** (as substituted (1.7.2005) by [S.S.I. 2005/375](#), art. 2 and as amended (22.9.2005) by [S.S.I. 2005/459](#), art. 2)

**Changes to legislation:**

Mental Health (Care and Treatment) (Scotland) Act 2003, Section 296 is up to date with all changes known to be in force on or before 25 May 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\(3\)](#)