



Mental Health (Scotland) Act 2015

2015 asp 9

PART 1

THE 2003 ACT

Specification of hospital units

13 Transfer from specified unit

- (1) The Mental Health (Care and Treatment) (Scotland) Act 2003 is amended as follows.
- (2) After section 124 there is inserted—

“124A Transfer to other hospital unit

- (1) Subsection (2) below applies where—
 - (a) the detention of a patient in hospital is authorised by—
 - (i) a compulsory treatment order, or
 - (ii) an interim compulsory treatment order, and
 - (b) that order specifies the hospital unit in which the patient is to be detained.
- (2) The managers of the hospital in which the patient is detained may transfer the patient to another hospital unit within the same hospital.
- (3) In relation to a transfer or proposed transfer under subsection (2) above, section 124(4) to (14) of this Act applies subject to the following modifications—
 - (a) a reference to section 124(2) is to be read as a reference to subsection (2) above,
 - (b) subsection (10)(a) is to be ignored,
 - (c) in subsection (12), a reference to the hospital from which the patient is transferred is to be read as a reference to the hospital in which the patient is detained,

Status: This is the original version (as it was originally enacted).

- (d) in subsections (13)(b) and (14), a reference to the hospital to which the patient is transferred is to be read as a reference to the hospital unit to which the patient is transferred.
- (4) For the purposes of this section, “hospital unit” means any part of a hospital which is treated as a separate unit.”.