



# Mental Health (Scotland) Act 2015

## 2015 asp 9

### PART 1

#### THE 2003 ACT

##### *Removal and detention of patients*

#### **20 Detention pending medical examination**

- (1) The Mental Health (Care and Treatment) (Scotland) Act 2003 is amended as follows.
- (2) In section 299 (nurse's power to detain pending medical examination)—
  - (a) in subsection (2)—
    - (i) paragraph (b) is repealed together with the word “and” immediately preceding it,
    - (ii) in the text following paragraph (b), for the words from “, subject” to the end there is substituted “ be detained in the hospital for a period not exceeding 3 hours (“holding period”) for the purpose of enabling the carrying out of a medical examination of the patient by a medical practitioner ”,
  - (b) in paragraph (c) of subsection (3), for the words “to carry out a medical examination of the patient” there is substituted “ for a medical examination of the patient to be carried out by a medical practitioner ”,
  - (c) subsection (4) is repealed.

#### **Commencement Information**

**II** S. 20 in force at 30.6.2017 by S.S.I. 2017/197, art. 2, sch. (with art. 11)

**Changes to legislation:**

There are currently no known outstanding effects for the Mental Health (Scotland) Act 2015, Section 20.