



Mental Health (Scotland) Act 2015

2015 asp 9

PART 1

THE 2003 ACT

Arrangements for treatment of prisoners

34 Agreement to transfer of prisoners

- (1) The Mental Health (Care and Treatment) (Scotland) Act 2003 is amended as follows.
- (2) In section 136 (transfer of prisoners for treatment for mental disorder), after paragraph (a) of subsection (3) there is inserted—
 - “(aa) that—
 - (i) a mental health officer has agreed to the making of the direction, or
 - (ii) it has been impracticable to obtain the agreement of a mental health officer;”.

Annotations:

Commencement Information

- II** [S. 34](#)
in force at 30.6.2017 by
[S.S.I. 2017/197](#)
- ,
[art. 2](#)
- ,
[sch.](#)

Changes to legislation:

There are currently no known outstanding effects for the Mental Health (Scotland) Act 2015, Section 34.