



# Mental Health (Scotland) Act 2015

## 2015 asp 9

### PART 2

#### CRIMINAL CASES

##### *Making and effect of disposals*

#### **38 Making certain orders in remand cases**

- (1) The Criminal Procedure (Scotland) Act 1995 is amended as follows.
- (2) In each place where they occur as follows, before the words “in custody” there is inserted “remanded”—
  - (a) in section 52B (prosecutor's power to apply for assessment order), in subsection (3)(c),
  - (b) in section 52C (Scottish Ministers' power to apply for assessment order), in subsection (1)(c),
  - (c) in section 52D (assessment order), in subsection (10)(d),
  - (d) in section 52F (assessment order: supplementary), in subsection (1)(a),
  - (e) in section 52K (prosecutor's power to apply for treatment order), in subsection (3)(c),
  - (f) in section 52L (Scottish Ministers' power to apply for treatment order), in subsection (1)(c),
  - (g) in section 52M (treatment order), in subsection (9)(d)(i) and (ii),
  - (h) in section 52P (treatment order: supplementary), in subsection (2)(a) and (b)(ii).

#### **Commencement Information**

- II** S. 38 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 38.