



# Mental Health (Scotland) Act 2015

## 2015 asp 9

### PART 3

#### VICTIMS' RIGHTS

##### *Additional provisions*

#### **59 Power to make modifications**

- (1) The Criminal Justice (Scotland) Act 2003 is amended as follows.
- (2) After section 18A there is inserted—

##### **“18B Power to modify Part**

- (1) The Scottish Ministers may by order amend—
  - (a) sections 16A and 16B, by substituting for any age for the time being specified in those sections a different age,
  - (b) section 16C, by adding descriptions of information,
  - (c) section 18A, by adding, amending or repealing definitions of terms used in the descriptions of information in section 16C.
- (2) The Scottish Ministers may by order amend—
  - (a) section 16A, so that information may be given under that section in some or all cases where a person has been made subject to a compulsion order and either—
    - (i) the person has not been made subject to a restriction order, or
    - (ii) the restriction order to which the person was made subject has been revoked,
  - (b) section 17B, to specify types of decision in respect of which representations under that section may be made by persons who have a right to be given information under section 16A as amended by virtue of paragraph (a).
- (3) In an order under subsection (2) which amends section 16A or 17B, the Scottish Ministers may make any amendment to the following enactments

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*Status: This is the original version (as it was originally enacted).*

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which they consider necessary or expedient in consequence of the amendment to section 16A or 17B—

- (a) sections 16C, 17E and 18A,
- (b) the Mental Health (Care and Treatment) (Scotland) Act 2003.”.

(3) In section 88 (orders), after “16(4)” there is inserted “, 18B”.