



# Mental Health (Care and Treatment) (Scotland) Act 2003

2003 asp 13

## PART 19

### ENTRY, REMOVAL AND DETENTION POWERS

#### *Removal to place of safety*

#### **294 Removal order: urgent application to justice of the peace**

Where—

- (a) the making of an application to the sheriff for a removal order is impracticable; and
- (b) the circumstances are such that any delay in obtaining a removal order is likely to be prejudicial to the person who would be the subject of the application,

the application may be made instead to a justice of the peace for the commission area in which the premises to which the application relates are situated; and subsections (1) to (3) of section 293 of this Act shall apply in relation to an application made by virtue of this section as those subsections apply as respects an application to the sheriff.