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SCOTTISH STATUTORY INSTRUMENTS

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**2017 No. 197**

**The Mental Health (Scotland) Act 2015 (Commencement No. 4 and Transitional and Savings Provisions) Order 2017**

*REMOVAL AND DETENTION OF PATIENTS*

**Section 295A of the 2003 Act: notification of decisions under section 293 or 295**

**10.** Despite the commencement of section 19 of the Act—

- (a) subsections (1) and (2) of section 295A(1) (notification of decision under section 293 or 295) of the 2003 Act have no effect where the decision of the sheriff referred to in section 295A(1) is made before the appointed day;
- (b) subsections (3) and (4) of section 295A of the 2003 Act have no effect where the decision of the sheriff referred to in section 295A(3) is made before the appointed day.

**Section 299 of the 2003 Act: nurse's power to detain pending medical examination**

**11.** Despite the commencement of section 20 of the Act, the amendments made by that section to section 299 (nurse's power to detain pending medical examination) of the 2003 Act have no effect where a patient is detained under section 299(2) of the 2003 Act before the appointed day.