



# Mental Health (Scotland) Act 1984

## 1984 CHAPTER 36

### PART XI

#### MISCELLANEOUS AND GENERAL

##### *F1F2* Offences

###### Textual Amendments

- F1** Act (except ss. 10(1)(b)(c)(2), 95) repealed (S.) (5.10.2005) by [Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 \(asp 13\), s. 333\(2\), sch. 5 Pt. 1](#) (as amended by [S.S.I. 2005/465](#), art. 1, sch. 1 para. 32(28) and with savings and transitional provisions in [S.S.I. 2005/452](#)); [S.S.I. 2005/161](#), art. 3 (as substituted (1.7.2005) by [S.S.I. 2005/375](#), art. 2 and as amended (22.9.2005) by [S.S.I. 2005/459](#), art. 2)
- F2** Act (except ss. 10, 95, 130) repealed (5.10.2005) by [The Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 \(Consequential Provisions\) Order 2005 \(S.I. 2005/2078\)](#), art. 1(2), [Sch. 3](#) (with art. 16(2)) (see [S.S.I. 2005/161](#), art. 3); and ss. 53, 54 expressed to be amended (5.12.2005) in so far as still in force by [2004 c. 33, s. 263\(10\)\(c\), Sch. 28 paras. 50, 51](#); [S.S.I. 2005/604](#), art. 2(e), 4; and s. 66A expressed to be amended (1.10.2009) in so far as still in force by [2005 c. 4, s. 148\(1\), Sch. 9 para. 40](#); [S.I. 2009/1604](#), art. 2(d)

**104 False statements.**

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**105 Ill-treatment of patients.**

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**106 Protection of mentally handicapped females.**

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**107 Protection of patients.**

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**108 Assisting patients to absent themselves without leave etc.**

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**109 Obstruction.**

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*F1F2 Miscellaneous provisions*

**110 Duty to give information to patients and nearest relatives.**

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**111 Duty of managers to inform nearest relative of discharge of detained patients.**

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**112 Religious persuasion of patients.**

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**113 Duty of sheriff to give patient opportunity to be heard.**

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**114 Provision for personal expenses of in-patients in hospital.**

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**115 Correspondence of patients.**

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**116 Review of decision to withhold postal packet.**

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**117 Entry on premises and warrant to search for and remove patients.**

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**118 Mentally disordered persons found in public places.**

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## 119 Code of practice.

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### Supplementary

## <sup>F1F2</sup>120 Provisions as to custody, conveyance and detention.

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## <sup>F1F2</sup>121 Retaking of patients escaping from custody.

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## <sup>F1F2</sup>121A Warrants for arrest of escaped mental patients.

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## <sup>F1F2</sup>122 Protection for acts done in pursuance of this Act.

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### Textual Amendments

- F1** Act (except ss. 10(1)(b)(c)(2), 95) repealed (S.) (5.10.2005) by [Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 \(asp 13\)](#), s. 333(2), [sch. 5 Pt. 1](#) (as amended by [S.S.I. 2005/465](#), art. 1, sch. 1 para. 32(28) and with savings and transitional provisions in [S.S.I. 2005/452](#); [S.S.I. 2005/161](#), art. 3 (as substituted (1.7.2005) by [S.S.I. 2005/375](#), art. 2 and as amended (22.9.2005) by [S.S.I. 2005/459](#), art. 2)
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## <sup>F1F2</sup>123 Inquiries.

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### Textual Amendments

- F1** Act (except ss. 10(1)(b)(c)(2), 95) repealed (S.) (5.10.2005) by [Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 \(asp 13\)](#), s. 333(2), [sch. 5 Pt. 1](#) (as amended by [S.S.I. 2005/465](#), art. 1, sch. 1 para. 32(28) and with savings and transitional provisions in [S.S.I. 2005/452](#); [S.S.I. 2005/161](#), art. 3 (as substituted (1.7.2005) by [S.S.I. 2005/375](#), art. 2 and as amended (22.9.2005) by [S.S.I. 2005/459](#), art. 2)
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## <sup>F1F2</sup>124 General provisions as to regulations and orders.

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- F1** Act (except ss. 10(1)(b)(c)(2), 95) repealed (S.) (5.10.2005) by [Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 \(asp 13\)](#), s. 333(2), [sch. 5 Pt. 1](#) (as amended by [S.S.I. 2005/465](#), art. 1, sch. 1

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**F1F2 125 Interpretation.**

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**F1F2 126 Preservation of amendments.**

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**Textual Amendments**

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**F1F2 127 Consequential and transitional provisions and repeals.**

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## <sup>F1F2</sup>128 Application to England and Wales.

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## <sup>F1F2</sup>129 Application to Northern Ireland.

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### Textual Amendments

- F1** Act (except ss. 10(1)(b)(c)(2), 95) repealed (S.) (5.10.2005) by [Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 \(asp 13\)](#), s. 333(2), [sch. 5 Pt. 1](#) (as amended by S.S.I. 2005/465, art. 1, sch. 1 para. 32(28) and with savings and transitional provisions in S.S.I. 2005/452); S.S.I. 2005/161, [art. 3](#) (as substituted (1.7.2005) by S.S.I. 2005/375, art. 2 and as amended (22.9.2005) by S.S.I. 2005/459, art. 2)
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[<sup>F1</sup>130 **Short title and commencement.**

This Act may be cited as the Mental Health (Scotland) Act 1984 and shall come into force on 30th September 1984.]

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