
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2008 No.

The Mental Health (England and Wales Cross-border transfer: patients subject to requirements other than detention) (Scotland) Regulations 2008

PART III

RECEPTION OF PERSONS IN SCOTLAND

Reception in Scotland: general

19.—(1) A patient who is subject to a relevant requirement in England and Wales and who is received in Scotland shall be treated once so received as if that patient's treatment had been authorised by virtue of a measure under the 2003 Act or the 1995 Act which most closely corresponds or is most similar to the measure to which the patient was subject immediately before the transfer took place.

(2) Subject to paragraph (3), the measure to which a patient is treated as having become subject by virtue of paragraph (1) shall have effect including for the purpose of calculation of time limits imposed by the 2003 Act or the 1995 Act, as if that measure had been made or given on the date on which the relevant measure to which the patient was subject, immediately before their transfer from the relevant territory, first had effect.

(3) Paragraph (2) does not apply to time limits which are specifically provided for or otherwise amended by these regulations.