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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2008 No.**

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

PART I  
GENERAL

**Application of Regulations**

2.—(1) Subject to paragraph (4), Parts II and III of these Regulations apply to persons as provided for in paragraphs (2) and (3).

(2) Part II applies to the removal of a patient subject to a relevant requirement from Scotland to England or Wales.

(3) Part III applies to the reception in Scotland of a person subject to corresponding requirements in England or Wales.

(4) Nothing in these Regulations authorises the removal from Scotland of a patient subject to:

- (a) an interim compulsory treatment order or interim compulsion order;
- (b) sections 113 to 115 or 176 and 177 of the 2003 Act;

or the reception in Scotland of a person subject to measures corresponding or similar to those referred to in this paragraph in England or Wales.