
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

Responsible medical officer's duty to revoke: compulsory treatment order

26.—(1) This regulation applies in respect of a patient who has become treated as if that patient is subject to a compulsory treatment order by virtue of regulation 19.

(2) If having carried out the assessment required by regulation 25(1) the patient's responsible medical officer is not satisfied that—

- (a) the conditions mentioned in regulation 25(4)(a) continue to be met in respect of the patient;
or
- (b) that it continues to be necessary for the patient to be subject to the order,

the responsible medical officer shall make a determination revoking the order.

(3) A determination under this regulation will be made as soon as practicable after the duty to make it arises.