
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 380

**The Mental Health (Conflict of Interest)
(Scotland) (No. 2) Regulations 2005**

Conflict of interest in relation to medical examination – short term detention in hospital

2. Subject to regulation 3, the circumstances in which there is to be taken to be a conflict of interest in relation to the medical examination for the purposes of sections 44 (short term detention in hospital) and 47 (extension of short-term detention in hospital) are where the approved medical practitioner is–

- (a) related to the patient in any degree specified in the Schedule; or
- (b) employed by or contracted to provide services in or to an independent health care service in which the patient will be detained if detention is authorised under either section 44 or, as the case may be, section 47.