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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 380**

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

**Circumstances in which there is not a conflict of interest – short term detention in hospital**

3. Notwithstanding regulation 2, the circumstances in which there is not to be taken to be a conflict of interest in relation to the medical examination for the purposes of sections 44 and 47, are where failure by the approved medical practitioner to carry out the medical examination would result in a delay which would involve serious risk to the health, safety or welfare of the patient or to the safety of other persons.