
EXPLANATORY NOTE

(This note is not part of the Act of Sederunt)

This Act of Sederunt further amends the Act of Sederunt (Summary Applications, Statutory Applications and Appeals etc. Rules) 1999 (the “1999 Rules”) to make provision for miscellaneous procedure under the Mental Health (Care and Treatment) (Scotland) Act 2003 (the “Act”).

Article 2 inserts a new Part XXX.

The new Part provides that–

- (a) applications for a removal order under section 293 and applications for the recall or variation of a removal order under section 295 of the Act shall be lodged with the sheriff clerk who will fix a date for a hearing; and
- (b) where the sheriff principal remits an appeal to the Court of Session under section 320 of the Act, the process shall be transmitted to the Deputy Principal Clerk of Session within 4 days.