
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 197

The Mental Health (Scotland) Act 2015 (Commencement No. 4 and Transitional and Savings Provisions) Order 2017

PERIODICAL REFERRAL OF CASES

Periodical referral of cases: amendments made by section 21 of the Act

- 12.** Despite the commencement of section 21 of the Act—
- (a) the amendment made by subsection (2) of that section to section 101 (Tribunal’s duty to review determination under section 86) of the 2003 Act has no effect where the “renewal day” defined in section 101(4) of the 2003 Act falls before the appointed day;
 - (b) the amendments made by subsection (3) of that section to section 189 (reference to Tribunal by Scottish Ministers) of the 2003 Act have no effect where the “relevant day” defined in section 189(6) of the 2003 Act falls before the appointed day;
 - (c) the amendments made by subsection (4) of that section to section 213 (reference to Tribunal by Scottish Ministers) of the 2003 Act have no effect where the “relevant day” defined in section 213(6) falls before the appointed day;
 - (d) paragraph 13A(1) of schedule 2 (the Mental Health Tribunal for Scotland) of the 2003 Act continues to have effect where paragraph (a), (b) or (c) of this article applies.

(1) Paragraph 13A of schedule 2 of the Mental Health (Care and Treatment) (Scotland) Act 2003 (“the 2003 Act”) was inserted by the Adult Support and Protection (Scotland) Act 2007 ([asp 10](#)). It is repealed by section 21(5) of the Act.