



Mental Health (Scotland) Act 1984

1984 CHAPTER 36

PART XI

MISCELLANEOUS AND GENERAL

FIF² Offences

Textual Amendments

- F1** Act (except ss. 10(1)(b)(c)(2), 95) repealed (S.) (5.10.2005) by [Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 \(asp 13\), s. 333\(2\), sch. 5 Pt. 1](#) (as amended by [S.S.I. 2005/465](#), art. 1, sch. 1 para. 32(28) and with savings and transitional provisions in [S.S.I. 2005/452](#)); [S.S.I. 2005/161](#), art. 3 (as substituted (1.7.2005) by [S.S.I. 2005/375](#), art. 2 and as amended (22.9.2005) by [S.S.I. 2005/459](#), art. 2)
- F2** Act (except ss. 10, 95, 130) repealed (5.10.2005) by [The Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 \(Consequential Provisions\) Order 2005 \(S.I. 2005/2078\)](#), art. 1(2), [Sch. 3](#) (with art. 16(2)) (see [S.S.I. 2005/161](#), art. 3); and ss. 53, 54 expressed to be amended (5.12.2005) in so far as still in force by [2004 c. 33, s. 263\(10\)\(c\), Sch. 28 paras. 50, 51](#); [S.S.I. 2005/604](#), art. 2(e), 4; and s. 66A expressed to be amended (1.10.2009) in so far as still in force by [2005 c. 4, s. 148\(1\), Sch. 9 para. 40](#); [S.I. 2009/1604](#), art. 2(d)

104 False statements.

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105 Ill-treatment of patients.

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106 Protection of mentally handicapped females.

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Status: Point in time view as at 05/10/2005.

Changes to legislation: Mental Health (Scotland) Act 1984, Part XI is up to date with all changes known to be in force on or before 03 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

107 Protection of patients.

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108 Assisting patients to absent themselves without leave etc.

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109 Obstruction.

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F1F2 Miscellaneous provisions

110 Duty to give information to patients and nearest relatives.

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111 Duty of managers to inform nearest relative of discharge of detained patients.

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112 Religious persuasion of patients.

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113 Duty of sheriff to give patient opportunity to be heard.

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114 Provision for personal expenses of in-patients in hospital.

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115 Correspondence of patients.

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116 Review of decision to withhold postal packet.

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117 Entry on premises and warrant to search for and remove patients.

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118 Mentally disordered persons found in public places.

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119 Code of practice.

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Supplementary

^{F1F2}120 Provisions as to custody, conveyance and detention.

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^{F1F2}121 Retaking of patients escaping from custody.

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^{F1F2}121A Warrants for arrest of escaped mental patients.

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^{F1F2}122 Protection for acts done in pursuance of this Act.

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^{F1F2}123 Inquiries.

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^{F1F2}124 General provisions as to regulations and orders.

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- para. 32(28) and with savings and transitional provisions in S.S.I. 2005/452; S.S.I. 2005/161, art. 3 (as substituted (1.7.2005) by S.S.I. 2005/375, art. 2 and as amended (22.9.2005) by S.S.I. 2005/459, art. 2)
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^{F1F2}125 Interpretation.

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^{F1F2}126 Preservation of amendments.

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^{F1F2}127 Consequential and transitional provisions and repeals.

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^{F1F2}128 Application to England and Wales.

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^{F1F2}129 Application to Northern Ireland.

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Textual Amendments

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[^{F1}130 **Short title and commencement.**

This Act may be cited as the Mental Health (Scotland) Act 1984 and shall come into force on 30th September 1984.]

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