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STATUTORY INSTRUMENTS

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**1994 No. 1675 (S.74)**

**MENTAL HEALTH**

**The Mental Health (Class of Nurse) (Scotland) Order 1994**

*Made* - - - - *14th June 1994*

*Coming into force* - - *5th July 1994*

The Secretary of State, in exercise of the power conferred on him by section 25(2) and (6) of the Mental Health (Scotland) Act 1984(1) and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Mental Health (Class of Nurse) (Scotland) Order 1994 and shall come into force on 5th July 1994.

**Class of nurse**

2. For the purposes of section 25 of the Mental Health (Scotland) Act 1984 a nurse of the prescribed class shall be a nurse registered in any of the following parts of the register prepared and maintained in accordance with section 10 of the Nurses, Midwives and Health Visitors Act 1979(2):

- (a) Part 3 (first level nurses trained in the nursing of persons suffering from mental illness);
- (b) Part 5 (first level nurses trained in the nursing of persons suffering from mental handicap);
- (c) Part 13 (nurses qualified following a course of preparation in mental health nursing); and
- (d) Part 14 (nurses qualified following a course of preparation in mental handicap nursing).

**Revocation**

3. The Mental Health (Prescription of Class of Nurse) (Scotland) Order 1984(3) is hereby revoked.

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(1) 1984 c. 36; section 25(6) contains a definition of “prescribed”.

(2) 1979 c. 36; for the parts of the register see S.I.1983/667 as amended by S.I. 1989/104 and 1989/1455.

(3) S.I. 1984/1095.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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New St Andrew's House,  
Edinburgh  
14th June 1994

*Fraser of Carmyllie*  
Minister of State, Scottish Office

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order revokes and re-enacts with amendments the Mental Health (Prescription of Class of Nurse) (Scotland) Order 1984. It prescribes the class of nurse who is empowered under section 25 of the Mental Health (Scotland) Act 1984 to detain for up to 2 hours a person already being treated in hospital for mental disorder but not liable to be detained, by reference to a nurse registered in parts 3, 5, 13 or 14 of the register kept under the Nurses, Midwives and Health Visitors Act 1979. The previous order referred only to parts 3 and 5.