

SCHEDULE

MODIFICATION OF THE PROVISIONS OF SECTIONS 35A TO 35C OF THE MENTAL HEALTH (SCOTLAND) ACT 1984

Section 35B (Community care applications)

2.—(1) In section 35B—

(a) subsection (1) shall be deleted;

(b) for subsection (2) there shall be substituted—

“(2) Before making a community care application the applicant shall—

(a) consult the persons specified in subsection (3) below, and

(b) consider the matters specified in subsection (5) below.”;

(c) for subsection (3)(b) there shall be substituted—

“(b) the persons who have been principally concerned with the patient’s medical treatment while he was subject to after-care under supervision in England and Wales;”;

(d) for subsection (3)(d) there shall be substituted—

“(d) the person who was the patient’s supervisor while he was subject to after-care under supervision and the person who is to be the patient’s after-care officer;”.

(2) In sections 35B(3)(e) and (f), 35B(4), 35B(6)(a) and (d), and 35B(10) for “the responsible medical officer” there shall be substituted “the applicant”.