



Mental Health (Scotland) Act 1984

1984 CHAPTER 36

PART V **U.K.**

ADMISSION TO AND DETENTION IN HOSPITAL AND GUARDIANSHIP

Duration of authority for detention and discharge of patients: hospital

31 **Special provisions as to patients absent without leave: hospital. **S****

- (1) If on the day on which, apart from this section, a patient would cease to be liable to be detained under this Part of this Act or within the period of one week ending with that day, the patient is absent without leave, he shall not cease to be so liable or so subject—
 - (a) in any case, until the expiration of the period during which he can be taken into custody under section 28 of this Act, or the day on which he returns or is returned to the hospital or place where he ought to be, whichever is the earlier; and
 - (b) if he returns or is returned as aforesaid within the period first mentioned in the foregoing paragraph, until the expiration of the period of one week beginning with the day on which he is returned or returns as aforesaid.
- (2) Where the period for which a patient is liable to be detained is extended by virtue of this section, any examination and report to be made and furnished under subsection (3) of section 30 of this Act may be made and furnished within that period as so extended.
- (3) Where the authority for the detention of a patient is renewed by virtue of this section after the day on which, apart from this section, that authority would have expired under section 30 of this Act, the renewal shall take effect as from that day.

Status:

Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation:

Mental Health (Scotland) Act 1984, Section 31 is up to date with all changes known to be in force on or before 21 September 2024. 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.