
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2017 No.

The Mental Health (Cross-border transfer: patients subject to detention requirement or otherwise in hospital) (Scotland) Amendment Regulations 2017

PART 2

Amendments to the principal Regulations

CHAPTER 2

Amendments to Part 2 (Removal of patients from Scotland)

Amendment of regulation 13

15.—(1) Regulation 13 of the principal Regulations (appeal to Tribunal) is amended as follows.

(2) For paragraph (1) substitute—

“(1) Following a decision under regulation 8 that a patient be removed from Scotland, an appeal against the proposed removal may be made to the Tribunal by—

- (a) the patient; or
- (b) the patient’s named person.”.

(3) After paragraph (2) insert—

“(3) An appeal may not be made to the Tribunal under paragraph (1) after the patient has been removed from Scotland.”.