
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 15

19.—(1) Regulation 15 of the principal Regulations (appeal to the Court of Session against certain decisions of the Tribunal) is amended as follows.

(2) In paragraph (2)(a), for “paragraphs (b) to” substitute “paragraphs (c) and”.

(3) After paragraph (2) insert—

“(3) In relation to a case in which section 322 applies by virtue of this regulation, subsection (5) of section 257A of the 2003 Act (ability to act if no named person) is to be ignored.”.