
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 452

The Mental Health (Care and Treatment) (Scotland) Act
2003 (Transitional and Savings Provisions) Order 2005

PART 11

GENERAL

Discharge

41.—(1) Where an order for discharge has been made by the managers of the hospital under section 33(5) of the 1984 Act, section 33(6) of the 1984 Act shall continue to have effect in respect of that order for 7 days from the date when the order for discharge was made.

(2) Section 33(7) of the 1984 Act shall continue to have effect until the sheriff has been notified in compliance with that sub section.

(3) Where 7 days' notice in writing has been given to the managers of a hospital under section 34(1) of the 1984 Act but the 7 days have not expired by 5th October 2005, sections 33 and 34 of the 1984 Act shall continue to have effect in respect of the orders for discharge in question.