

2009 No. 359

MENTAL HEALTH

**The Mental Health Tribunal for Scotland (Appointment of
Medical Members) Amendment Regulations 2009**

<i>Made</i>	- - - -	<i>19th October 2009</i>
<i>Laid before the Scottish Parliament</i>		<i>21st October 2009</i>
<i>Coming into force</i>	- -	<i>16th November 2009</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by paragraph 1(1)(b) of schedule 2 to the Mental Health (Care and Treatment) (Scotland) Act 2003(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Mental Health Tribunal for Scotland (Appointment of Medical Members) Amendment Regulations 2009 and come into force on 16th November 2009.

Amendment of the Mental Health Tribunal for Scotland (Appointment of Medical Members) Regulations 2004

2. In regulation 2 (medical members of the Mental Health Tribunal for Scotland) of the Mental Health Tribunal for Scotland (Appointment of Medical Members) Regulations 2004(b) for “medical practitioner and” substitute “fully registered person within the meaning of section 55(1) of the Medical Act 1983(c), whether or not that person holds a licence to practise, and who”.

SHONA ROBISON
Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
19th October 2009

(a) 2003 asp 13.
(b) S.S.I. 2004/374.
(c) 1983 c.54. Section 55 was amended by S.I. 1996/1591, 2000/3041, 2002/3135, 2006/1914, 2007/3101 and 2008/1774.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Mental Health Tribunal for Scotland (Appointment of Medical Members) Regulations 2004 (“the principal Regulations”) list the qualifications and experience required of a person for the purpose of serving as a medical member of the Mental Health Tribunal for Scotland. Regulation 2 amends the principal Regulations to allow medical practitioners who are fully registered to be appointed to the Tribunal, whether or not they hold a licence to practise.

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