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SCOTTISH STATUTORY INSTRUMENTS

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**2015 No. 364**

**MENTAL HEALTH**

**The Mental Health (Detention in Conditions of Excessive Security) (Scotland) Regulations 2015**

*Made* - - - - - *29th October 2015*

*Coming into force* - - - - - *16th November 2015*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 271A of the Mental Health (Care and Treatment) (Scotland) Act 2003<sup>(1)</sup> and all other powers enabling them to do so.

In accordance with section 326(4) of that Act<sup>(2)</sup>, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

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(1) [2003 asp 13](#) (“the 2003 Act”). Section 271A of the 2003 Act is inserted by section 16(5) of the Mental Health (Scotland) Act 2015 ([asp 9](#)) (“the 2015 Act”). By virtue of section 17(1) of the 2015 Act, regulations may be made by virtue of section 271A of the 2003 Act prior to section 16(5) of the 2015 Act coming into force.

(2) Section 326(4) of the 2003 Act has been modified by paragraph 5 of schedule 3 to the Interpretation and Legislative Reform (Scotland) Act 2010 ([asp 10](#)) and relevantly amended by section 16(7) of the 2015 Act. By virtue of section 17(2) of the 2015 Act, the amendment made by section 16(7) of that Act is deemed to be in effect for the purposes of these Regulations.

**Changes to legislation:**

There are currently no known outstanding effects for the The Mental Health (Detention in Conditions of Excessive Security) (Scotland) Regulations 2015, Introductory Text.