



# Mental Health Act 1983

## 1983 CHAPTER 20

### PART VI

#### REMOVAL AND RETURN OF PATIENTS WITHIN UNITED KINGDOM, ETC.

##### *Removal to Scotland*

VALID FROM 03/11/2008

#### **[<sup>F1</sup>80ZA Transfer of responsibility for community patients to Scotland**

- (1) If it appears to the appropriate national authority, in the case of a community patient, that the conditions mentioned in subsection (2) below are met, the authority may authorise the transfer of responsibility for him to Scotland.
- (2) The conditions are—
  - (a) a transfer under this section is in the patient's interests; and
  - (b) arrangements have been made for dealing with him under enactments in force in Scotland corresponding or similar to those relating to community patients in this Act.
- (3) The appropriate national authority may not act under subsection (1) above while the patient is recalled to hospital under section 17E above.
- (4) In this section, “the appropriate national authority” means—
  - (a) in relation to a community patient in respect of whom the responsible hospital is in England, the Secretary of State;
  - (b) in relation to a community patient in respect of whom the responsible hospital is in Wales, the Welsh Ministers.]

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*Status: Point in time view as at 27/09/2005. This version of this provision is not valid for this point in time.*

*Changes to legislation: Mental Health Act 1983, Section 80ZA is up to date with all changes known to be in force on or before 20 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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#### **Textual Amendments**

- F1** S. 80ZA inserted (E.W.) (3.11.2008) by Mental Health Act 2007 (c. 12), ss. 39, 56, **Sch. 5 para. 3** (with Sch. 10); S.I. 2008/1900, **art. 2(n)** (with art. 3, Sch.)

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