



Mental Health (Scotland) Act 1984

1984 CHAPTER 36

PART VII

REMOVAL AND RETURN OF PATIENTS WITHIN UNITED KINGDOM ETC.

Other provisions as to removal

82 Removal of certain patients from Channel Islands and Isle of Man to Scotland

- (1) The Secretary of State may by warrant direct that any offender found by a court in any of the Channel Islands or in the Isle of Man to be insane or to have been insane at the time of the alleged offence, and ordered to be detained during Her Majesty's pleasure, be removed to a hospital in Scotland.
- (2) A patient removed under this section shall, on his reception into the hospital in Scotland, be treated as if he had been removed to that hospital in pursuance of an order under section 174 of the Criminal Procedure (Scotland) Act 1975.
- (3) The Secretary of State may by warrant direct that any patient removed under this section from any of the Channel Islands or from the Isle of Man be returned to the Island from which he was so removed, there to be dealt with according to law in all respects as if he had not been removed under this section.

83 Removal of alien patients

If it appears to the Secretary of State, in the case of any patient who is neither a British citizen nor a Commonwealth citizen having the right of abode in the United Kingdom by virtue of section 2(1)(b) of the Immigration Act 1971 and who is receiving treatment for mental illness as an in-patient in a hospital in Scotland, that proper arrangements have been made for the removal of that patient to a country or territory outside the United Kingdom, the Isle of Man and the Channel Islands and for his care or treatment there, and that it is in the interests of the patient to remove him, the Secretary of State may by warrant authorise the removal of the patient from the place where he is receiving treatment as aforesaid, and may give such directions as the

Status: This is the original version (as it was originally enacted).

Secretary of State thinks fit for the conveyance of the patient to his destination in that country or territory and for his detention in any place or on board any ship or aircraft until his arrival at any specified port or place in any such country or territory.