



# Mental Health (Scotland) Act 1984

## 1984 CHAPTER 36

### PART VIII

#### STATE HOSPITALS

#### **90 Provision of hospitals for patients requiring special security**

- (1) The Secretary of State shall provide such hospitals as appear to him to be necessary for persons subject to detention under this Act who require treatment under conditions of special security on account of their dangerous, violent or criminal propensities.
- (2) Hospitals provided by the Secretary of State under this section are in this Act referred to as " State hospitals ".

#### **91 Administrative provisions**

- (1) Subject to the following provisions of this section, the State hospitals shall be under the control and management of the Secretary of State.
- (2) The Secretary of State may by order constitute in accordance with the provisions of Schedule 1 to this Act a committee to manage, on his behalf and subject to such directions as he may give, a State hospital; and a committee so constituted shall be called a State Hospital Management Committee.
- (3) The Secretary of State may by order dissolve a State Hospital Management Committee and any such order may contain such provision as he considers necessary or expedient in connection with the dissolution of the Committee and the winding up of its affairs including provision for the transfer of employment of staff, property, rights and liabilities.
- (4) A State Hospital Management Committee may—
  - (a) pay to its members such remuneration; and
  - (b) make provision for the payment of such pensions, allowances or gratuities to or in respect of its members,

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*Status: This is the original version (as it was originally enacted).*

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as the Secretary of State may, with the approval of the Treasury, determine; and such determination may make different provision for different cases or different classes of case.

- (5) A State Hospital Management Committee may appoint such officers and servants on such terms as to remuneration and conditions of service as the Secretary of State may, with the approval of the Treasury, determine; and such determination may make different provision for different cases or different classes of case.
- (6) Section 79(1) of the National Health Service (Scotland) Act 1978 (which enables the Secretary of State to acquire land for the purposes of that Act) shall have effect as if the reference to the purposes of that Act included a reference to the purposes of this Part of this Act and as if the reference to any hospital vested in the Secretary of State included a reference to any State hospital.