

## SCHEDULES

### SCHEDULE 3

Section 127(1).

#### CONSEQUENTIAL AMENDMENTS

##### *The Improvement of Land Act 1864 (c. 114)*

- 1 In section 68 for the words " Mental Health (Scotland) Act 1960 " there shall be substituted the words " Mental Health (Scotland) Act 1984 ".

##### *The Colonial Prisoners Removal Act 1884 (c. 31)*

- 2 In section 10(4)—
- (a) in paragraph (a) for the words " section sixty-four of the Mental Health (Scotland) Act 1960" there shall be substituted the words " section 69 of the Mental Health (Scotland) Act 1984 "; and
  - (b) in paragraph (b) for the words " sixty-six" and " sixty-seven " there shall be substituted " 71 " and " 72 " respectively.

##### *Nursing Homes Registration (Scotland) Act 1938 (c. 73)*

- 3 In section 10(1)(ii) for the words "Mental Health (Scotland) Act 1960 " there shall be substituted the words " Mental Health (Scotland) Act 1984 ".

##### *The Polish Resettlement Act 1947 (c. 19)*

- 4 In section 11(3)(b) for the words " Mental Health (Scotland) Act 1960 " there shall be substituted the words " Mental Health (Scotland) Act 1984 ".

##### *The Army Act 1955 (c. 18)*

- 5 In section 116(7) for the words " section 64 of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " section 69 of the Mental Health (Scotland) Act 1984 ".

##### *The Air Force Act 1955 (c. 19)*

- 6 In section 116(7) for the words " section 64 of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " section 69 of the Mental Health (Scotland) Act 1984 ".

##### *The Naval Discipline Act 1957 (c. 53)*

- 7 In section 71(6) for the words " section 64 of the Mental Health (Scotland) Act 1960" there shall be substituted the words " section 69 of the Mental Health (Scotland) Act 1984 ".

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*Local Government (Scotland) Act 1966 (c. 51)*

- 8 In Part II of Schedule 4 in paragraph 25 for the words " section 15(4) of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " Section 12(3) of the Mental Health (Scotland) Act 1984 ".

*The Criminal Justice Act 1967 (c. 80)*

- 9 In section 72—
- (a) in subsection (1)(b) for the words " section 36 or 106 of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " section 28, 44 or 121 of the Mental Health (Scotland) Act 1984 ";
  - (b) in subsection (3) for the words " section 105 of the Mental Health (Scotland) Act 1960" and " 1960" there shall be substituted the words " section 120 of the Mental Health (Scotland) Act 1984 "and " 1984 " respectively ; and
  - (c) in subsection (4) for the words "Part V of the Mental Health (Scotland) Act 1960 " and " or 1960 " there shall be substituted the words " Part VI of the Mental Health (Scotland) Act 1984 " and " or Part VI of the said Act of 1984 " respectively.

*The Courts-Martial (Appeals) Act 1968 (c. 20)*

- 10 In section 20(4) for the words " Part V of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " Part VI of the Mental Health (Scotland) Act 1984 ".
- 11 In section 23(1) for the words " Section 64 of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " section 69 of the Mental Health (Scotland) Act 1984 ".
- 12 In section 25(4) for the words " Mental Health (Scotland) Act 1960 " there shall be substituted the words " Mental Health (Scotland) Act 1984 ".
- 13 In section 43(4) for the words " Mental Health (Scotland) Act 1960 " there shall be substituted the words " Mental Health (Scotland) Act 1984 ".

*The Social Work (Scotland) Act 1968 (c. 49)*

- 14 In section 1(4)(b) for the words " Mental Health (Scotland) Act 1960 " there shall be substituted the words " Mental Health (Scotland) Act 1984 ".
- 15 In section 16(3) for the words " Mental Health (Scotland) Act 1960 " there shall be substituted the words " Mental Health (Scotland) Act 1984 ".
- 16 In section 46—
- (a) in subsection (1) for the words "Part IV of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " Part V of the Mental Health (Scotland) Act 1984 " ; and
  - (b) in subsection (2) for the words " section 23(3) of the said Act of 1960 " there shall be substituted the words " section 17(2) of the said Act of 1984 ".
- 17 In section 94(1)—
- (a) in the definition of " hospital" for the words " Mental Health (Scotland) Act 1960" and " Part VII of the said Act of 1960" there shall be substituted the

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words " Mental Health (Scotland) Act 1984 " and " Part VIII of the said Act of 1984 " respectively;

- (b) in the definition of " mental disorder " for the words " section 6 of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " section 1(2) of the Mental Health (Scotland) Act 1984 "; and
- (c) in the definition of " mental health officer " for the words " said Act of 1960 " there shall be substituted the words " said Act of 1984 " .

*The Local Authority Social Services Act 1970 (c. 42)*

- 18 In Schedule 1 for the words " **Mental Health (Scotland) Act 1960 (c.61.)**" there shall be substituted the words " Mental Health (Scotland) Act 1984 " .

*Chronically Sick and Disabled Persons Act 1970 (c. 44)*

- 19 In section 18(2) for the words " section 6 of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " section 1(2) of the Mental Health (Scotland) Act 1984 " .

*The Guardianship Act 1973 (c. 29)*

- 20 In section 10(7) for the words " Mental Health (Scotland) Act 1960 " there shall be substituted the words " Mental Health (Scotland) Act 1984 " .

*Local Government (Scotland) Act 1973 (c. 65)*

- 21 In section 64(5) for paragraph (bb) there shall be substituted the following paragraph—  
“(bb) section 9 of the Mental Health (Scotland) Act 1984 (appointment of mental health officers);”.

*The Rehabilitation of Offenders Act 1974 (c. 53)*

- 22 In section 5(7) for the words " Part V of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " Part VI of the Mental Health (Scotland) Act 1984 " .

*The Criminal Procedure (Scotland) Act 1975 (c. 21)*

- 23 In section 13—
- (a) in subsection (1)(b) for the words " section 36 or 106 of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " section 28, 44 or 121 of the Mental Health (Scotland) Act 1984 " ;
  - (b) in subsection (3) for the words " section 105 of the Mental Health (Scotland) Act 1960 " and " 1960 " where it second appears there shall be substituted the words " section 120 of the Mental Health (Scotland) Act 1984 " and " 1984 " respectively; and
  - (c) in subsection (4) for the words " Part V of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " Part VI of the Mental Health (Scotland) Act 1984 " .

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- 24 In section 25(2) for the words " Part IV of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " Part V of the Mental Health (Scotland) Act 1984 ".
- 25 In section 174A(1) for the words " section 6(1) of the Mental Health (Scotland) Act 1960" there shall be substituted the words " Section 1(2) of the Mental Health (Scotland) Act 1984 ".
- 26 In section 175(1) for the words " 23(1)", " 25(1A)(a)" and " Mental Health (Scotland) Act 1960 " there shall be substituted the words " 17(1) ", " 36(a) " and " Mental Health (Scotland) Act 1984 " respectively.
- 27 In section 176(1) for the words " section 27 of the Mental Health (Scotland) Act 1960" there shall be substituted the words " section 20 or section 39 of the Mental Health (Scotland) Act 1984 ".
- 28 In section 178—
- (a) in subsection (1) for the words " section 60(3) of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " section 62(1) of the Mental Health (Scotland) Act 1984 ";
  - (b) in subsection (2) for the words " section 27 of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " section 20 or section 39 of the Mental Health (Scotland) Act 1984 " ; and
  - (c) in subsection (3) for the words "section 58(4) of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " section 60(4) of the Mental Health (Scotland) Act 1984 ".
- 29 In section 184—
- (a) in subsection (1) for the words " section 27 of the Mental Health (Scotland) Act 1960 " and " Part V of that Act" there shall be substituted the words " section 20 or 39 of the Mental Health (Scotland) Act 1984 " and " Part VI of that Act" respectively;
  - (b) in subsection 2(a) for the words " Mental Health (Scotland) Act 1960" there shall be substituted the words " Mental Health (Scotland) Act 1984 ".
- 30 In section 322—
- (a) in subsection (1)(b) for the words " section 36 or 106 of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " section 28, 44, or 121 of the Mental Health (Scotland) Act 1984 ";
  - (b) in subsection (3) for the words " section 105 of the Mental Health (Scotland) Act 1960 " and " 1960 " where it second occurs there shall be substituted the words " section 120 of the Mental Health (Scotland) Act 1984 " and " 1984 " respectively ; and
  - (c) in subsection (4) for the words " Part V of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " Part VI of the Mental Health (Scotland) Act 1984 ".
- 31 In section 330(2) for the words " Part IV of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " Part V of the Mental Health (Scotland) Act 1984 ".
- 32 In section 375(A)(1) for the words " section 6(1) of the Mental Health (Scotland) Act 1960" there shall be substituted the words " section 1(2) of the Mental Health (Scotland) Act 1984 ".

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- 33 In section 376(1) for the words " 23(1) ", " 25(1)(a) " and " Mental Health (Scotland) Act 1960 " there shall be substituted the words " 17(1) " , " 36(a) " and " Mental Health (Scotland) Act 1984 " respectively.
- 34 In section 377(1) for the words "section 27 of the Mental Health (Scotland) Act 1960" there shall be substituted the words " section 20 or section 39 of the Mental Health (Scotland) Act 1984 " .
- 35 In section 379—
- (a) in subsection (1) for the words " section 60(3) of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " section 62(1) of the Mental Health (Scotland) Act 1984 " ;
  - (b) in subsection (2) for the words "section 27 of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " section 20 or section 39 of the Mental Health (Scotland) Act 1984 " ; and
  - (c) in subsection (3) for the words " section 58(4) of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " section 62(1) of the Mental Health (Scotland) Act 1984 " .
- 36 In section 385—
- (a) in subsection (1) for the words " section 27 of the Mental Health (Scotland) Act 1960 " and " Part V of that Act" there shall be substituted the words " section 20 or 39 of the Mental Health (Scotland) Act 1984 " and " Part VI of that Act" respectively;
  - (b) in subsection 2(a) for the words " Mental Health (Scotland) Act 1960 " there shall be substituted the words " Mental Health (Scotland) Act 1984 " .
- 37 In section 462—
- (a) in the definition of " hospital" for the words " Part III of the Mental Health (Scotland) Act 1960" there shall be substituted the words " Part IV of the Mental Health (Scotland) Act 1984 " ;
  - (b) in the definition of "responsible medical officer" for the words " section 53 of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " section 59 of the Mental Health (Scotland) Act 1984 " ; and
  - (c) in the definition of "State hospital" for the words "Part VII of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " Part VIII of the Mental Health (Scotland) Act 1984 " .

*The Adoption (Scotland) Act 1978 (c. 28)*

- 38 In section 32(3)(c) for the words " section 23 of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " section 17 or 39 of the Mental Health (Scotland) Act 1984 " .

*The National Health Service (Scotland) Act 1978 (c. 29)*

- 39 In section 100(1) for the words " Mental Health (Scotland) Act 1960 " there shall be substituted the words " Mental Health (Scotland) Act 1984 " .
- 40 In section 102(1) for the words " Mental Health (Scotland) Act 1960 " there shall be substituted the words " Mental Health (Scotland) Act 1984 " .

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41 In section 108(1) in the definitions of " illness " and " state hospital" for the words " Mental Health (Scotland) Act 1960 " there shall be substituted the words " Mental Health (Scotland) Act 1984 " .

42 In paragraph 7 of Schedule 14, for the words " Mental Health (Scotland) Act 1960 " there shall be substituted the words " Mental Health (Scotland) Act 1984 " .

*The Child Care Act 1980 (c. 5)*

43 In section 79(5)(d) for the words "Mental Health (Scotland) Act 1960" there shall be substituted the words " Mental Health (Scotland) Act 1984 " .

*The Reserve Forces Act 1980 (c. 9)*

44 In paragraph (2)(b) of Schedule 2 for the words " Mental Health (Scotland) Act 1960 " there shall be substituted the words " Mental Health (Scotland) Act 1984 " .

*The Concessionary Travel for Handicapped Persons (Scotland) Act 1980 (c. 29)*

45 In section 2(1)(a) for the words "Mental Health (Scotland) Act 1960" there shall be substituted the words " Mental Health (Scotland) Act 1984 " .

*Solicitors (Scotland) Act 1980 (c. 46)*

46 In section 18(1) for the words " Mental Health (Scotland) Act 1960 " there shall be substituted the words " Mental Health (Scotland) Act 1984 " .

*Tenants' Rights, Etc. (Scotland) Act 1980 (c.52)*

47 In section 1(10)(o) for the words " section 89 of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " section 90 of the Mental Health (Scotland) Act 1984 " .

*The Contempt of Court Act 1981 (c. 49)*

48 In paragraph (10)(b) of Schedule 1 for the words " section 68(1) of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " section 73(1) of the Mental Health (Scotland) Act 1984 " .

*The Mental Health Act 1983 (c. 20)*

49 In section 69(2)(a) for the words " section 73(2) of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " section 77(2) of the Mental Health (Scotland) Act 1984 " .

50 In section 79(1)(c) for the words " section 73(2) of the Mental Health (Scotland) Act 1960" there shall be substituted the words " section 77(2) of the Mental Health (Scotland) Act 1984 " .

51 In section 80, in subsections (4) and (7) for the words " Mental Health (Scotland) Act 1960 " there shall be substituted the words " Mental Health (Scotland) Act 1984 " .

52 In section 88(3)(a) for the words "Mental Health (Scotland) Act 1960" there shall be substituted the words " Mental Health (Scotland) Act 1984 " .

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- 53 In section 90 for the words "Part VI of the Mental Health (Scotland) Act 1960 " there shall be substituted the words " Part VII of the Mental Health (Scotland) Act 1984 ".
- 54 In section 92(3) for the words " Part VI of the Mental Health (Scotland) Act 1960" there shall be substituted the words " Part VII of the Mental Health (Scotland) Act 1984 ".
- 55 In section 116(2) for the words "Mental Health (Scotland) Act 1960 " there shall be substituted the words " Mental Health (Scotland) Act 1984 ".
- 56 In section 135—
- (a) in subsection (2) for the words " Mental Health (Scotland) Act 1960 " there shall be substituted the words " Mental Health (Scotland) Act 1984 ".
  - (b) in subsection (4) for the words " Mental Health (Scotland) Act 1960" there shall be substituted the words " Mental Health (Scotland) Act 1984 ".