



Mental Health (Scotland) Act 1984

1984 CHAPTER 36

PART VI

DETENTION OF PATIENTS CONCERNED IN CRIMINAL PROCEEDINGS ETC. AND TRANSFER OF PATIENTS UNDER SENTENCE

Provisions for compulsory detention and guardianship of patients charged with offences etc.

67 Application of sections 63 to 66 to other persons treated as restricted patients

- (1) Sections 63, 64 and 66 of this Act shall apply to a person who—
- (a) is subject to—
 - (i) a direction which by virtue of section 69(3) of this Act; or
 - (ii) an order which by virtue of section 174(4) of the Criminal Procedure (Scotland) Act 1975,has the like effect as a hospital order and a restriction order; or
 - (b) is treated as subject to a hospital order and a restriction order by virtue of section 80(2) of the Mental Health Act 1983 or section 81(2) of this Act,
- as they apply to a restricted patient who is subject to a restriction order and references in the said sections 63, 64 and 66 to the relevant hospital order or restriction order shall be construed as references to the direction under section 69(1) of this Act or the order under section 174(3) of the Criminal Procedure (Scotland) Act 1975.
- (2) Sections 63 and 65 of this Act shall apply to a person who is treated as subject to a transfer direction and a restriction direction by virtue of section 80(2) of the Mental Health Act 1983 or section 81(2) of this Act as they apply to a restricted patient who is subject to a restriction direction and references in the said sections 63 and 65 to the relevant transfer direction or the restriction direction shall be construed as references to the transfer direction or restriction direction to which that person is treated as subject by virtue of the said section 80(2) or 81(2).