

1983 No. 1920 (C. 51) (S. 181)

MENTAL HEALTH

**The Mental Health (Amendment) (Scotland) Act 1983  
(Commencement No. 2) Order 1983**

Made - - - - 14th December 1983

In exercise of the powers conferred upon me by section 41(2) of the Mental Health (Amendment) (Scotland) Act 1983(a) and of all other powers enabling me in that behalf, I hereby make the following order:—

1.—(1) This order may be cited as the Mental Health (Amendment) (Scotland) Act 1983 (Commencement No. 2) Order 1983.

(2) In this order, the expression “the Act” means the Mental Health (Amendment) (Scotland) Act 1983.

2. The provisions of the Act which are specified in Schedule 1 to this order shall come into force on 31st December 1983.

3. The provisions of the Act which are specified in Schedule 2 to this order shall come into force on 31st March 1984.

4. The provisions of the Act, in so far as not already then in force, shall come into force on 30th September 1984.

New St Andrew's House,  
Edinburgh.  
14th December 1983.

*George Younger,*  
One of Her Majesty's Principal  
Secretaries of State.

## SCHEDULE 1

Article 2

## PROVISIONS OF THE ACT COMING INTO FORCE ON 31ST DECEMBER 1983

<i>Provisions of the Act</i>	<i>Subject matter of provisions</i>
Section 1(1), (2) and (3).	Constitution of the Mental Welfare Commission for Scotland.
Section 39(3) to the extent necessary to bring into operation the provisions of Schedule 3 specified in Appendix A hereto.	Repeals.
So much of Schedule 3 as is specified in Appendix A hereto.	Repeals.

## APPENDIX A TO SCHEDULE 1

## PROVISIONS OF SCHEDULE 3 TO THE ACT (REPEALS) COMING INTO FORCE ON 31ST DECEMBER 1983

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
1960 c. 61.	The Mental Health (Scotland) Act 1960.	In section 2(2), the words "and not more than eleven".

## SCHEDULE 2

Article 3

## PROVISIONS OF THE ACT COMING INTO FORCE ON 31ST MARCH 1984

<i>Provisions of the Act</i>	<i>Subject matter of provisions</i>
Section 26.	State Hospital Management Committee.
Section 27.	Transfer of property, staff etc.
Section 39(2) to the extent necessary to bring into operation the provisions of Schedule 2 specified below.	Minor and consequential amendments.
Section 39(3) to the extent necessary to bring into operation the provisions of Schedule 3 specified in Appendix B hereto.	Repeals.
Schedule 2—Paragraph 38.	Amendment of Schedule 5 to the Employment Protection (Consolidation) Act 1978 (c. 44).

## APPENDIX B TO SCHEDULE 2

PROVISIONS OF SCHEDULE 3 TO THE ACT (REPEALS) COMING INTO FORCE ON 31ST MARCH  
1984

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<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
1978 c. 29.	The National Health Service (Scotland) Act 1978.	Section 102(2).

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## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order brings into force, in three stages, the remaining provisions of the Mental Health (Amendment) (Scotland) Act 1983 ("the Act").

Article 2 of the order brings into force on 31st December 1983 the provisions of the Act specified in Schedule 1 to the order, namely sections 1(1)(2) and (3) of the Act relating to the constitution of the Mental Welfare Commission for Scotland, and a consequential repeal.

Article 3 of the order brings into force on 31st March 1984 the provisions of the Act specified in Schedule 2 to the order, namely sections 26 and 27 of the Act relating to the State Hospital Management Committee and the transfer of property, staff etc, together with a consequential amendment and repeal.

Article 4 of the order brings into force on 30th September 1984 the remaining provisions of the Act in so far as they are not already then in force.

This order, together with the Mental Health (Amendment) (Scotland) Act 1983 (Commencement No. 1) Order 1983 (S.I. 1983/1199) brings into force the whole of the Act, with the exception of section 41 (citation, commencement and extent) which came into force on the date of enactment of the Act.

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