

## SCHEDULE 1

### Regulated Activities

#### **Assessment or medical treatment for persons detained under the 1983 Act**

**6.—(1)** The assessment of, or medical treatment (other than surgical procedures) for, a mental disorder affecting a person in a hospital where that person is—

- (a) detained in that hospital pursuant to the provisions of the 1983 Act (with the exception of section 135 or 136**(1)**);
- (b) recalled to that hospital under section 17E of that Act**(2)**; or
- (c) detained in that hospital pursuant to an order or direction made under another enactment, where that detention takes effect as if the order or direction were made pursuant to the provisions of the 1983 Act.

**(2)** In this paragraph—

- (a) “hospital” means a hospital within the meaning of Part 2 of that Act**(3)**;
- (b) “medical treatment” has the same meaning as in section 145 of that Act**(4)**; and
- (c) “mental disorder” has the same meaning as in section 1 of that Act**(5)**.

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**(1)** Section 135 was amended by the Mental Health (Scotland) Act 1984 (c.36) Schedule 3, paragraph 56, the Police and Criminal Evidence Act 1984 (c.60) Schedule 6, Part 1 and Schedule 7, Part 1, the National Health Service and Community Care Act 1990 (c.19) Schedule 10, the Care Standards Act 2000 (c.14) Schedule 4, paragraph 9, the Mental Health Act 2007 (“the 2007 Act”) (c.12) section 44 and Schedule 2, paragraph 10(a) and S.I. 2005/2078, Schedule 1, paragraph 2(9). Section 136 was amended by the 2007 Act, section 44 and Schedule 2, paragraph 10(b).

**(2)** Section 17E was inserted by section 32 of the 2007 Act.

**(3)** See sections 34(2) and 145(1) of the 1983 Act; relevant amendments were made by the Care Standards Act 2000, Schedule 4, paragraph 9.

**(4)** Section 145 was amended by section 7 of the 2007 Act.

**(5)** Section 1 was amended by section 1(2) of the 2007 Act.