

Draft Regulations laid before the Scottish Parliament under section 326(4)(c) of the Mental Health (Care and Treatment) (Scotland) Act 2003 for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2017 No.

MENTAL HEALTH

The Mental Health (Safeguards for Certain Informal Patients) (Scotland) Amendment Regulations 2017

Made - - - - 2017
Coming into force - - 30th June 2017

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 244 of the Mental Health (Care and Treatment) (Scotland) Act 2003⁽¹⁾ and all other powers enabling them to do so.

In accordance with section 326(4)(c)⁽²⁾ of that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

Citation and commencement

1. These Regulations may be cited as the Mental Health (Safeguards for Certain Informal Patients) (Scotland) Amendment Regulations 2017 and come into force on 30th June 2017.

Amendment of the Mental Health (Safeguards for Certain Informal Patients) (Scotland) Regulations 2005

2.—(1) The Mental Health (Safeguards for Certain Informal Patients) (Scotland) Regulations 2005⁽³⁾ are amended as follows.

(2) In regulation 1(2) (citation, commencement and interpretation) after the definition of “medical treatment” insert—

““nutrition by artificial means” means nutrition by nasogastric feeding tube, percutaneous gastrostomy tube or intravenous route;”.

(3) In regulation 5 (urgent medical treatment)—

(a) in paragraph (1) after “(2)” insert “, (2A), (2B)”;

(1) 2003 asp 13.

(2) Section 326(4)(c) has been modified by paragraph 5 of Schedule 3 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10) and was amended by section 16(7) of the Mental Health (Scotland) Act 2015 (asp 9).

(3) S.S.I. 2005/401.