EXECUTIVE NOTE

THE MENTAL HEALTH TRIBUNAL FOR SCOTLAND (PRACTICE AND PROCEDURE) (No. 2) AMENDMENT RULES 2012

SSI 2012/132

1. The above instrument was made in exercise of the powers conferred by section 21(4) and 326 of, and paragraph 10 of schedule 2 to the Mental Health (Care and Treatment) (Scotland) Act 2003 ("the 2003 Act"). The instrument is subject to the negative resolution procedure.

Policy Objectives

2. To amend the Mental Health Tribunal for Scotland rules to allow more use of the power to decide a case without a hearing. This will enable the Tribunal to make greater use of Rule 58 while ensuring that patients' rights are protected.

Financial Effects

3. The increased use of Rule 58 should lead to efficiency savings.

Directorate for Health and Social Care Integration
Reshaping Care and Mental Health Division
April 2012