

## SCHEDULE 2 THE MENTAL HEALTH TRIBUNAL FOR SCOTLAND

### PART 1

#### MEMBERS OF THE TRIBUNAL ETC.

##### *The President*

- 3 (1) The Scottish Ministers shall appoint a person to be known as the President of the Mental Health Tribunal for Scotland (the “President”).
- (2) The President—
- (a) shall preside over the discharge of the Tribunal’s functions; and
  - (b) may serve as a convener of the Tribunal.
- (3) The Scottish Ministers may not appoint a person to be the President unless that person has such—
- (a) qualifications;
  - (b) training; and
  - (c) experience,
- as may be prescribed by regulations.
- (4) The following provisions of this schedule apply (with the necessary modifications) to the President as they apply to a member of the Tribunal—
- (a) paragraph 1(2);
  - (b) paragraph 4;
  - (c) paragraph 5; and
  - (d) paragraph 6.
- (5) The functions of the President may, if the President is absent or otherwise unable to act, be discharged by one of the members of the panel mentioned in paragraph 1(1) (a) above appointed for that purpose by the Scottish Ministers.
- (6) Regulations may make provision as to the delegation by the President of any of the President’s functions to any of the members of the Tribunal or its staff.
- (7) Regulations made under sub-paragraph (6) above may include provision for different functions to be delegated to different persons for different areas.