



# Patient Rights (Scotland) Act 2011

## 2011 asp 5

### *Treatment time guarantee*

#### **12 Treatment time guarantee: suspension**

- (1) This section applies where the Scottish Ministers consider that exceptional circumstances exist.
- (2) The Scottish Ministers may direct that the treatment time guarantee be suspended for such period as they consider necessary.
- (3) But such period of suspension must not exceed 30 days.
- (4) The Scottish Ministers may by order—
  - (a) extend the duration of a period of suspension under subsection (2) beyond the 30 day limit in subsection (3) for such further period as they consider necessary,
  - (b) suspend the treatment time guarantee for such period in excess of 30 days as they consider necessary.
- (5) An order made under subsection (4) (other than one to which subsection (7) applies)—
  - (a) must be laid before the Scottish Parliament, and
  - (b) ceases to have effect at the expiry of the period of 28 days beginning with the date on which it was made unless, before the expiry of that period, the order has been approved by resolution of the Parliament.
- (6) Subsection (7) applies to an order made under subsection (4) consisting only of—
  - (a) provision revoking an earlier order under subsection (4), or
  - (b) such provision and provision made by virtue of section 25(1)(c).
- (7) An order to which this subsection applies is subject to annulment in pursuance of a resolution of the Parliament.
- (8) In reckoning for the purposes of subsection (5)(b) any period of 28 days, no account is to be taken of any period during which the Scottish Parliament is—
  - (a) dissolved, or
  - (b) in recess for more than 4 days.
- (9) Subsection (5)(b) is without prejudice to—

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*Changes to legislation: There are currently no known outstanding effects for the Patient Rights (Scotland) Act 2011, Section 12. (See end of Document for details)*

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- (a) anything previously done by reference to—
  - (i) a direction under subsection (2),
  - (ii) an order under subsection (4), or
- (b) the making of a new order under subsection (4).

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**Commencement Information**

**II** [S. 12](#) in force at 1.10.2012 by [S.S.I. 2012/35](#), [art. 2\(b\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Patient Rights (Scotland) Act 2011, Section 12.