



State Hospitals (Scotland) Act 1994

1994 CHAPTER 16

1

For section 102 of the ^{M1}National Health Service (Scotland) Act 1978 (state hospitals) there shall be substituted the following section—

“102 State hospitals.

- (1) The Secretary of State shall provide such hospitals as appear to him to be necessary for persons subject to detention under the Mental Health (Scotland) Act 1984 who require treatment under conditions of special security on account of their dangerous, violent or criminal propensities.
- (2) Hospitals provided by the Secretary of State under subsection (1) are referred to in this Act as “state hospitals”.
- (3) Subject to subsection (4) and section 2, state hospitals shall be under the control and management of the Secretary of State.
- (4) The Secretary of State may provide for the management of a state hospital to be undertaken on his behalf by—
 - (a) a committee constituted under section 91 of the Mental Health (Scotland) Act 1984; or
 - (b) a Health Board or the Agency to the extent that power to do so is delegated to the Board or Agency by the Secretary of State.
- (5) A committee managing a state hospital by virtue of subsection (4)(a) shall do so subject to such directions as the Secretary of State may give.”

Marginal Citations

M1 1978 c. 29.

Changes to legislation:

There are currently no known outstanding effects for the State Hospitals (Scotland) Act 1994, Section 1.