
Changes to legislation: Civil Partnership Act 2004, Cross Heading: Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13) is up to date with all changes known to be in force on or before 23 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

SCHEDULES

SCHEDULE 28

CONSEQUENTIAL AMENDMENTS: SCOTLAND

PART 4

MISCELLANEOUS AMENDMENTS

Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13)

- 69 (1) Amend section 254 (meaning of “nearest relative”) as follows.
- (2) In subsection (2)(a), at the end insert “ or civil partner ”.
- (3) In subsection (3), after “spouse” insert “ or civil partner ”.
- (4) In subsection (7)(a)(ii), for “husband and wife except that the person and the relevant person are of the same sex” substitute “ civil partners ”.
- 70 In section 313(5)(a)(ii) (defence in respect of sexual offence), after “spouse” insert “ or civil partner ”.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 102(8A) inserted by [2023 asp 3 s. 56\(2\)](#)
- s. 103(10) inserted by [2023 asp 3 s. 56\(5\)](#)
- s. 108(5) inserted by [2023 asp 3 s. 56\(8\)](#)
- s. 213(1A) inserted by [2013 c. 30 Sch. 2 para. 5\(2\)](#)