

*These notes relate to the Mental Health (Care and Treatment) (Scotland)
Act 2003 (asp 13) which received Royal Assent on 25 April 2003*

MENTAL HEALTH (CARE AND TREATMENT) (SCOTLAND) ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 22 – Appeals

Section 323: suspension of decision of Tribunal pending determination of certain appeals

640. Where the Scottish Ministers appeal a Tribunal decision made under section 193 or against a decision of the Tribunal to make a direction under section 215(3) or (4) they may apply to the Court for an order authorising the patient's continued detention pending the outcome of the appeal.
641. Such an order will remain effective until the appeal is either abandoned or finally determined (subsection (2)).