



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

2003 asp 13

PART 10

COMPULSION ORDERS AND RESTRICTION ORDERS

CHAPTER 3

CONDITIONAL DISCHARGE

200 Variation of conditions imposed on conditional discharge

- (1) This section applies where—
- a patient has been conditionally discharged by the Tribunal under section 193(7) of this Act; and
 - the Tribunal imposed conditions on that discharge under that section.

- (2) The Scottish Ministers may, if satisfied that it is necessary, vary such of the conditions imposed by the Tribunal under section 193(7) of this Act as they think fit.

[^{F1}(2A) Before varying any conditions under subsection (2), the Scottish Ministers must have regard to any victim's representations.]

- (3) Where the Scottish Ministers vary, under subsection (2) above, conditions imposed by the Tribunal under section 193(7) of this Act, the Scottish Ministers shall, as soon as practicable, give notice of that variation to—
- the patient;
 - the patient's named person;
 - the patient's responsible medical officer; and
 - the mental health officer.

Changes to legislation: *Mental Health (Care and Treatment) (Scotland) Act 2003, Section 200 is up to date with all changes known to be in force on or before 26 May 2023. 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*

Textual Amendments

- F1** S. 200(2A) inserted (30.9.2017) by [Mental Health \(Scotland\) Act 2015 \(asp 9\)](#), **ss. 60(3)**, 61(2); [S.S.I. 2017/234](#), **art. 2(2)(c)**
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Commencement Information

- I1** S. 200 in force at 5.10.2005 by [S.S.I. 2005/161](#), **art. 3** (as substituted (1.7.2005) by [S.S.I. 2005/375](#), **art. 2** and as amended (22.9.2005) by [S.S.I. 2005/459](#), **art. 2**)

Changes to legislation:

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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. 64(8A)(8B) inserted by [2015 asp 9 s. 1\(2\)](#)
- s. 65(7) inserted by [2015 asp 9 s. 1\(3\)](#)