



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

## 2003 asp 13

### PART 13

#### PARTS 8, 10 AND 11: SUSPENSION

##### *Certain other orders and directions*

#### **226 Certificate under section 224: revocation by Scottish Ministers**

- (1) Subsection (2) below applies where a certificate is granted under section 224(2) of this Act.
- (2) If the Scottish Ministers are satisfied that it is necessary—
  - (a) in the interests of the patient; or
  - (b) for the protection of any other person,that the certificate be revoked, the Scottish Ministers may revoke the certificate.
- (3) Where, under subsection (2) above, the Scottish Ministers revoke a certificate, they shall, as soon as practicable after the revocation, give notice of it to—
  - (a) the patient;
  - (b) the patient's named person;
  - (c) in a case where the certificate specified a period of more than 28 days, the patient's general medical practitioner;
  - (d) the patient's responsible medical officer;
  - (e) the mental health officer; and
  - (f) where a person is authorised for the purposes of section 224(7)(a) of this Act, that person.
- (4) Where, under subsection (2) above, the Scottish Ministers revoke a certificate granted under section 224(2) of this Act that specified a period of more than 28 days, they shall, before the expiry of the period of 14 days beginning with the day on which the certificate is revoked, give notice of the revocation to the Commission.