



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

2003 asp 13

PART 17

PATIENT REPRESENTATION ETC.

CHAPTER 3

DETENTION IN CONDITIONS OF EXCESSIVE SECURITY

Interpretation of Chapter

273 Interpretation of Chapter

[^{F1}(1)] In this Chapter—

“relevant Health Board” means, in relation to a patient of such description as may be specified in regulations, the Health Board, or Special Health Board—

- (a) of such description as may be so specified; or
- (b) determined under such regulations; and

[^{F2}“relevant patient” means a patient whose detention in hospital is authorised by—

- (a) if the patient is also subject to a restriction order, a compulsion order,
- (b) a hospital direction, or
- (c) a transfer for treatment direction.]

[^{F3}(2) In this Chapter, a reference to a hospital may be read as a reference to a hospital unit.

(3) For the purposes of this Chapter, “hospital unit” means any part of a hospital which is treated as a separate unit.]

Changes to legislation: *Mental Health (Care and Treatment) (Scotland) Act 2003, Section 273 is up to date with all changes known to be in force on or before 17 August 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** Words in s. 273 renumbered as s. 273(1) (16.11.2015) by [Mental Health \(Scotland\) Act 2015 \(asp 9\)](#), [ss. 18\(2\)\(a\)](#), [61\(2\)](#); [S.S.I. 2015/361](#), [art. 2](#)
- F2** Words in s. 273 substituted (16.11.2015) by [Mental Health \(Scotland\) Act 2015 \(asp 9\)](#), [ss. 16\(6\)](#), [61\(2\)](#); [S.S.I. 2015/361](#), [art. 2](#)
- F3** S. 273(2)(3) inserted (16.11.2015) by [Mental Health \(Scotland\) Act 2015 \(asp 9\)](#), [ss. 18\(2\)\(b\)](#), [61\(2\)](#); [S.S.I. 2015/361](#), [art. 2](#)

Commencement Information

- I1** Part 17 Chapter 3 (ss. 264 - 273) in force 1.5.2006 or such earlier day as the Scottish Ministers may by order appoint, see s. 333(2)
- I2** S. 273 in force at 6.1.2006 for specified purposes by [S.S.I. 2005/161](#), [art. 4](#), Sch. 2
- I3** S. 273 in force at 1.5.2006 or such earlier day as the Scottish Ministers may by order appoint, see s. 333(2)

Changes to legislation:

Mental Health (Care and Treatment) (Scotland) Act 2003, Section 273 is up to date with all changes known to be in force on or before 17 August 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.

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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\(3\)](#)