



Mental Health (Scotland) Act 2015

2015 asp 9

PART 1

THE 2003 ACT

Suspension of orders and measures

7 **Suspension of orders on emergency detention**

- (1) The Mental Health (Care and Treatment) (Scotland) Act 2003 is amended as follows.
- (2) In section 43 (effect of subsequent emergency detention certificate on compulsory treatment order)—
 - (a) in paragraph (a) of subsection (1), for the words “compulsory treatment order” there is substituted “relevant order”,
 - (b) in subsection (2), for the words “The compulsory treatment order” there is substituted “A relevant order”,
 - (c) in subsection (3)—
 - (i) after the word “Act” there is inserted “or (as the case may be) section 57A(8)(b) of the 1995 Act”,
 - (ii) for the words “compulsory treatment order” in each place where they occur there is substituted “relevant order”,
 - (d) after subsection (3) there is inserted—

“(4) In this section, the references to a relevant order are to—

 - (a) a compulsion order, or
 - (b) a compulsory treatment order or an interim compulsory treatment order.”.
- (3) In relation to section 43—
 - (a) its title becomes “**Effect of emergency detention certificate on certain orders**”,
 - (b) the italic heading immediately preceding it becomes “*Effect of emergency detention certificate on certain orders*”.

Changes to legislation: There are currently no known outstanding effects for the Mental Health (Scotland) Act 2015, Section 7. (See end of Document for details)

Commencement Information

II [S. 7](#) in force at 30.6.2017 by [S.S.I. 2017/197](#), [art. 2](#), [sch.](#) (with [art. 7](#))

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