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SCOTTISH STATUTORY INSTRUMENTS

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**2017 No. 234**

**The Mental Health (Scotland) Act 2015 (Commencement  
No. 5 and Transitional Provisions) Order 2017**

*TRANSITIONAL PROVISIONS*

**Victim's right to information on offender subject to compulsion order: sections 16A to 16C  
of the 2003 Act**

- 6.—(1) Despite the commencement of section 55 of the Act, where paragraph (2) applies—
- (a) section 16A(2) of the 2003 Act has no effect; and
  - (b) provided that it is reasonably practicable for them to do so, the Scottish Ministers must give the information about O (as defined in section 16A(1) of the 2003 Act) described in paragraph (3) to the person mentioned in section 16A(1)(c) of the 2003 Act.
- (2) This paragraph applies where—
- (a) the circumstances set out in section 16A(1)(a) to (d) apply; and
  - (b) the compulsion order or the restriction order referred to in section 16A(1)(b) ceased to have effect before the appointed day.
- (3) The following information is to be given—
- (a) that the compulsion order to which O was subject was revoked before the appointed day and that revocation is final;
  - (b) that the restriction order to which O was subject was revoked before the appointed day and that revocation is final; or
  - (c) where neither sub-paragraph (a) nor sub-paragraph (b) applies, that O died before the appointed day and the date of O's death.