

*These notes relate to the Mental Health (Care and Treatment) (Scotland)  
Act 2003 (asp 13) which received Royal Assent on 25 April 2003*

# **MENTAL HEALTH (CARE AND TREATMENT) (SCOTLAND) ACT 2003**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 10 - Compulsion Orders and Restriction Orders**

##### *Chapter 3: conditional discharge*

##### *Section 201: appeal to Tribunal against variation of conditions imposed on conditional discharge*

361. **Section 201** allows the patient and the patient's named person to appeal to the Tribunal against any variation imposed by the Scottish Ministers under section 200(2). The appeal must be lodged with the Tribunal within 28 days of the notice being given under section 200(3).
362. Subsection (3) provides that the Tribunal will treat an appeal under this section as an application for conditional discharge. Section 193 therefore applies and the Tribunal has the options that are available under that section.