



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

2003 asp 13

PART 13

PARTS 8, 10 AND 11: SUSPENSION

Assessment orders

223 Certificate under section 221: revocation by Scottish Ministers

- (1) Subsection (2) below applies where a certificate is granted under section 221(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 responsible medical officer; and
 - (c) where a person is authorised for the purposes of section 221(6)(a) of this Act, that person.

Commencement Information

- II** [S. 223](#) in force at 5.10.2005 by [S.S.I. 2005/161](#), [art. 3](#) (as substituted (1.7.2005) by [S.S.I. 2005/375](#), [art. 2](#) and as amended (22.9.2005) by [S.S.I. 2005/459](#), [art. 2](#))

Changes to legislation:

Mental Health (Care and Treatment) (Scotland) Act 2003, Section 223 is up to date with all changes known to be in force on or before 26 May 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.

[View outstanding changes](#)

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\(3\)](#)