



# Mental Health (Scotland) Act 2015

## 2015 asp 9

### PART 1

#### THE 2003 ACT

##### *Suspension of orders and measures*

#### **8 Suspension of orders on short-term detention**

- (1) The Mental Health (Care and Treatment) (Scotland) Act 2003 is amended as follows.
- (2) In section 56 (effect of subsequent short-term 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) for subsection (2) there is substituted—
    - “(2) A relevant order shall cease to authorise the measures specified in it for the period during which the patient is subject to—
      - (a) the short-term detention certificate, or
      - (b) an extension certificate.”,
  - (c) after subsection (2) there is inserted—
    - “(3) 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 56—
  - (a) its title becomes “**Effect of short-term detention certificate etc. on certain orders**”,
  - (b) the italic heading immediately preceding it becomes “*Effect of short-term detention certificate etc. on certain orders*”.