



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

## 2003 asp 13

### PART 10

#### COMPULSION ORDERS AND RESTRICTION ORDERS

#### CHAPTER 2

#### REVIEW OF ORDERS

#### *Effect of modification or revocation of orders*

#### **198 Effect of revocation of restriction order**

- (1) This section applies where the Tribunal—
  - (a) makes an order under subsection (5) of section 193 of this Act revoking the restriction order to which the patient is subject; but
  - (b) does not make an order under subsection (3) or (4) of that section revoking the compulsion order to which the patient is subject.
- (2) Part 9 of this Act shall apply to the patient as if the compulsion order to which the patient is subject were a relevant compulsion order made on the day on which the [<sup>F1</sup>order revoking the restriction order has effect in accordance with section 196 of this Act].
- (3) In this section, “relevant compulsion order” has the meaning given by section 137(1) of this Act.

#### **Textual Amendments**

- F1** Words in s. 198(2) substituted (30.6.2017) by [Mental Health \(Scotland\) Act 2015 \(asp 9\), ss. 52\(2\), 61\(2\); S.S.I. 2017/197, art. 2, sch. \(with art. 25\)](#)

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**Status:** Point in time view as at 25/05/2018.

**Changes to legislation:** Mental Health (Care and Treatment) (Scotland) Act 2003, Section 198 is up to date with all changes known to be in force on or before 07 August 2024. 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. (See end of Document for details)

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#### **Commencement Information**

- II** S. 198 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)

**Status:**

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