

# **MENTAL HEALTH (SCOTLAND) ACT 2015**

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## **EXPLANATORY NOTES**

### **THE STRUCTURE & A SUMMARY OF THE ACT**

#### **Part One – the 2003 Act**

#### ***Section 8: Suspension of orders on short term detention***

##### **Amendment of [section 56](#)**

26. Section 56 of the 2003 Act makes provision for the effect of subsequent short term detention certificates (STDC) on compulsory treatment orders (CTO). At present where a patient is subject to a CTO and a STDC is granted (because a patient's condition has perhaps deteriorated suddenly to the extent that hospital treatment is required), any measures authorised by the CTO cease to have effect whilst the patient is subject to the STDC.
27. Section 8 of the Act amends section 56 to provide that if a patient is subject to a CTO, CO, or an interim CTO, and that patient becomes subject to a STDC, any measures authorised by the CO, interim CTO or CTO cease to have effect for the duration of the STDC. Subsection (3) makes consequential changes to the title and heading of section 56.