



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

2003 asp 13

## PART 11

### HOSPITAL DIRECTIONS AND TRANSFER FOR TREATMENT DIRECTIONS

#### *Effect of revocation of direction*

#### **216 Effect of revocation of direction**

- (1) This section applies where, under section 210(2), 212(3) or (4) or 215(5) of this Act, the Scottish Ministers revoke—
  - (a) a hospital direction; or
  - (b) a transfer for treatment direction.
- (2) Where the Scottish Ministers revoke a direction they shall direct that the patient be admitted to a prison, institution or other place in which the patient might have been detained had the patient not been detained in hospital by virtue of the direction.
- (3) The direction shall cease to have effect on the patient's admission to the prison, institution or place to which the patient is admitted by virtue of the direction under subsection (2) above.