



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 [^{F1}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. \(with art. 25\)](#)

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 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. (See end of Document for details) View outstanding changes*

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)

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 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\(3\)](#)