



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

2003 asp 13

PART 13

PARTS 8, 10 AND 11: SUSPENSION

Assessment orders

221 Assessment order: suspension of measure authorising detention

- (1) This section applies where a patient is subject to an assessment order.
- (2) Subject to subsection (3) below, where the patient's responsible medical officer grants a certificate specifying a period during which the assessment order to which the patient is subject shall not authorise the detention of the patient in hospital, the order does not authorise that detention during that period.
- (3) The patient's responsible medical officer may grant a certificate under subsection (2) above only with the consent of the Scottish Ministers.
- (4) A period specified in a certificate under subsection (2) above may be expressed as—
 - (a) the duration of—
 - (i) an event; or
 - (ii) a series of events; or
 - (b) the duration of—
 - (i) an event; or
 - (ii) a series of events,and any associated travel.
- (5) If the responsible medical officer considers that it is necessary—
 - (a) in the interests of the patient; or
 - (b) for the protection of any other person,a certificate under subsection (2) above may include conditions such as are mentioned in subsection (6) below; and any such conditions shall have effect.

Status: This is the original version (as it was originally enacted).

(6) Those conditions are—

- (a) that, during the period specified in the certificate, the patient be kept in the charge of a person authorised in writing for the purpose by the patient's responsible medical officer; and
- (b) such other conditions as may be specified by the patient's responsible medical officer.