



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

## 2003 asp 13

### PART 20

#### ABSCONDING

##### *Effect of unauthorised absence*

#### **304 Effect of unauthorised absence**

- (1) References in this section and sections 305 to 308 of this Act to a patient's unauthorised absence are references to a patient's being liable, under section 301 of this Act, to be taken into custody and dealt with under section 303 of this Act.
- (2) Subject to sections 305 to 308 of this Act, a patient's unauthorised absence does not affect the continuity or measurement of any period of time fixed by, under or relative to any provision of this Act or requirement imposed by virtue of it, of which that absence is a breach.
- (3) Where, in the case of a patient who is subject to a compulsory treatment order, the patient's unauthorised absence has continued for a period of 3 months, the order shall then cease to have effect.