

*These notes relate to the Adult Support and Protection (Scotland) Act 2007 (asp 10) which received Royal Assent on 21 March 2007*

# **ADULT SUPPORT AND PROTECTION (SCOTLAND) ACT 2007**

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## **EXPLANATORY NOTES**

### **THE ACT – AN OVERVIEW**

#### **Part 4**

#### **Mental Health: Miscellaneous Amendments and Repeals**

##### ***Section 69 - Compulsion orders: revocation***

163. This section gives the Responsible Medical Officer (RMO), the Scottish Ministers and the Mental Health Tribunal for Scotland the flexibility to recommend or make decisions which lead to the revocation of the compulsion order for patients subject to a compulsion order with a restriction order (CORO) in the following circumstances:

- it is not necessary for the patient to be detained in hospital for the protection of any person from serious harm;
- the patient has a mental disorder which needs treatment;
- the patient does not require to be subject to the compulsion order for the purpose of receiving such treatment.

This amendment makes provision which allows patients subject to compulsion orders with restrictions to be absolutely discharged where it is no longer necessary for such patients to receive that treatment compulsorily.