

*These notes relate to the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13) which received Royal Assent on 25 April 2003*

# **MENTAL HEALTH (CARE AND TREATMENT) (SCOTLAND) ACT 2003**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 9 - Compulsion Orders**

##### *Chapter 2: review of compulsion orders*

##### **Extension of order following first review**

##### *Section 148: first review: responsible medical officer's duty to apply for extension of compulsion order*

288. **Section 148** provides that, if the responsible medical officer is still satisfied, having had regard to the views of persons consulted and of the patient's mental health officer, that the compulsion order should be extended, then the responsible medical officer is under a duty to apply to the Tribunal for an extension of the order. It is only at the first review that the extension of the order is done by way of an application to the Tribunal. Subsequent extensions, where no variation of the measures authorised by the order is required, are made by the responsible medical officer making a determination under section 152. Such extensions may, however, be reviewed by the Tribunal under section 165.