

*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**

---

## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 18 – Miscellaneous**

##### **Correspondence: supplementary**

557. [Section 282](#) provides that if a postal packet, or anything contained within it, is withheld by the managers of a hospital under section 281(1) or (6), those managers must:
- record that fact in writing;
  - within 7 days, notify the Commission of the name of the specified person, the nature of the packet or contents withheld, and the reasons for doing so; and
  - also within 7 days, notify the specified person and, in the case of incoming correspondence, the person who sent the packet.
558. However, these notification requirements do not apply if the reason for the packet being withheld is that the addressee has made a request that communications to them from the specified person be withheld.
559. Subsection (7) enables the Scottish Ministers to make regulations in relation to two matters: the exercise of the powers conferred by section 281, and, extending the application of that section to other forms of written communications.