

*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 22 – Appeals

Section 320: appeal to the sheriff principal against certain decisions of the Tribunal

634. **Section 320** provides that a relevant party may appeal to the sheriff principal against a range of decisions of the Tribunal, which are listed in subsection (1). Subsection (3) makes provision about the sheriff principal to which the appeal is to be made.
635. Subsection (4) enables the sheriff principal, either on the motion of one of the parties or at his or her own behest, to remit an appeal to the Court of Session. The test for so doing is that the appeal raises an important or difficult question of law.
636. Subsections (5) to (9) make provision about the persons who may appeal decisions.