



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

2003 asp 13

PART 9

COMPULSION ORDERS

CHAPTER 2

REVIEW OF COMPULSION ORDERS

Revocation of order by responsible medical officer or Commission

141 Responsible medical officer's duty to revoke compulsion order: mandatory reviews

- (1) This section applies where a patient's responsible medical officer is carrying out—
 - (a) the first review of the relevant compulsion order to which the patient is subject; or
 - (b) a further review of that order.
- (2) If, having regard to any views expressed by persons consulted under section 139(3)(c) of this Act for the purpose of the review being carried out, the responsible medical officer is not satisfied—
 - (a) that the conditions mentioned in section 139(4) of this Act continue to apply in respect of the patient; or
 - (b) that it continues to be necessary for the patient to be subject to the compulsion order,the responsible medical officer shall make a determination revoking the compulsion order.
- (3) A determination under this section shall be made as soon as practicable after the duty to make it arises.