



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

142 Revocation of compulsion order: responsible medical officer's duty to keep under review

- (1) This section applies where a patient is subject to a relevant compulsion order.
- (2) Without prejudice to the duties imposed on the patient's responsible medical officer by sections 139(2), 140(2), 141(2) and 159(2) of this Act, the responsible medical officer shall from time to time consider—
 - (a) whether the conditions mentioned in section 139(4) of this Act continue to apply in respect of the patient; and
 - (b) whether it continues to be necessary for the patient to be subject to a compulsion order.
- (3) If, having considered the matters mentioned in paragraphs (a) and (b) of subsection (2) above, 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 a compulsion order,

the responsible medical officer shall make a determination revoking the compulsion order.