



# 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*

#### **144 Revocation of compulsion order: notification**

- (1) Where a patient's responsible medical officer makes a determination under section 141 or 142 of this Act, the responsible medical officer shall—
  - (a) give notice of the determination; and
  - (b) send a statement of the reasons for it,to the Commission and to the persons mentioned in subsection (3) below.
- (2) Where the Commission makes a determination under section 143 of this Act it shall—
  - (a) give notice of the determination; and
  - (b) send a statement of the reasons for it,to the patient's responsible medical officer and to the persons mentioned in subsection (3) below.
- (3) The persons referred to in subsections (1) and (2) above are—
  - (a) the patient;
  - (b) the patient's named person;
  - (c) any guardian of the patient;
  - (d) any welfare attorney of the patient;
  - (e) the mental health officer; and

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*Status: This is the original version (as it was originally enacted).*

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- (f) the Tribunal.
- (4) Notice under subsection (1) or (2) above—
- (a) to the persons mentioned in subsection (3)(a) to (d) above shall be given as soon as practicable after the determination is made and, in any event, before the expiry of the period of 7 days beginning with the day on which the determination is made; and
  - (b) to—
    - (i) the Commission;
    - (ii) the patient’s responsible medical officer; and
    - (iii) the persons mentioned in subsection (3)(e) and (f) above,shall be given before the expiry of the period of 7 days beginning with the day on which the determination is made.