



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

2003 asp 13

PART 7

COMPULSORY TREATMENT ORDERS

CHAPTER 1

APPLICATION FOR, AND MAKING OF, ORDERS

Pre-application procedures

60 Application for compulsory treatment order: notification

- (1) Where a mental health officer is required by section 57(1) of this Act to make an application under section 63 of this Act in respect of a patient, the mental health officer shall, as soon as practicable after the duty to make the application arises (and, in any event, before making the application) give notice that the application is to be made—
 - (a) subject to subsection (2) below, to the patient in respect of whom the application is to be made;
 - (b) to the patient's named person; and
 - (c) to the Commission.
- (2) If the view set out in one of the mental health reports by virtue of section 57(5)(c) of this Act is that notice should not be given under paragraph (a) of subsection (1) above, the mental health officer—
 - (a) need not give such notice; but
 - (b) may, if the mental health officer considers it appropriate to do so, give such notice.