

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 9 - Compulsion Orders

Chapter 3: applications of Chapters 5 to 7 of Part 7

Breach of order

Section 176: medical treatment: failure to attend

324. [Section 176](#) makes provision for breach of a compulsion order where the patient fails to attend for medical treatment. It applies the provisions in section 112 with regard to compulsory treatment orders to compulsion orders but with certain minor modifications (see paragraph 157 of these Notes).

Section 177: non-compliance generally with compulsion order

325. [Section 177](#) relates to non-compliance generally with a compulsion order. It lists the various sections relating to compulsory treatment orders in Chapter 5 of Part 7 that apply to compulsion orders but with the modifications set out in subsections (2) and (3).

Transfers

Section 178: transfers

326. [Section 178](#) applies the provisions in sections 124 to 126 (regarding transfers of patients who are subject to compulsory treatment orders) to patients who are subject to compulsion orders which authorise detention in hospital (see paragraphs 170 to 178 of these Notes).

Suspension of measures

Section 179: suspension of measures

327. [Section 179](#) applies the provisions of section 127 regarding the suspension of detention requirements, the suspension of any other compulsory measure in section 128, and the revocation of any such suspension in section 129, to a patient who is subject to a compulsion order but with certain minor modifications.