



# Mental Health (Scotland) Act 1984

## 1984 CHAPTER 36

### PART XI

#### MISCELLANEOUS AND GENERAL

##### *Miscellaneous provisions*

#### **116 Review of decision to withhold postal packet**

- (1) The Mental Welfare Commission shall review any decision to withhold a postal packet or anything contained in it under subsection (1)(b) or (2) of section 115 of this Act if an application in that behalf is made—
  - (a) in a case under the said subsection (1)(b), by the patient; or
  - (b) in a case under the said subsection (2), either by the patient or by the person by whom the postal packet was sent;and any such application shall be made within 6 months of the receipt by the applicant of the notice referred to in subsection (6) of that section.
- (2) On an application under subsection (1) of this section the Commission may direct that the postal packet or anything contained in it which is the subject of the application shall not be withheld and the managers of the hospital in which the patient is detained shall comply with any such direction.
- (3) The Secretary of State may by regulations make provision with respect to the making and determination of applications under subsection (1) of this section, including provision for the production to the Mental Welfare Commission of any postal packet which is the subject of such an application.