



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

2003 asp 13

## MENTAL HEALTH (CARE AND TREATMENT) (SCOTLAND) ACT 2003

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- 3 (1) The Commission shall consist of the following members appointed...
- 4 (1) The provisions of this paragraph apply as respects a...
- 5 Subject to paragraph 3(3)(c) above, a person who ceases, otherwise...
- 6 The Commission shall pay— (a) to its members (and to...
- 7 (1) Subject to sub-paragraphs (2) and (3) below, the Commission—...
- 8 (1) Subject to sub-paragraph (2) below, regulations may make provision...
- 9 The following provisions of the National Health Service (Scotland) Act...

Part 2 — TRANSITIONAL PROVISION

- 10 (1) The Mental Health (Scotland) Act 1984 (c. 36) shall...

SCHEDULE 2 — The Mental Health Tribunal for Scotland

Part 1 — MEMBERS OF THE TRIBUNAL ETC.

- 1 (1) The Scottish Ministers shall appoint as members of the...
  - 2 There shall be a panel consisting of each person who...
  - 3 (1) The Scottish Ministers shall appoint a person to be...
  - 4 Terms of office etc.
  - 5 (1) A member of the Tribunal may be removed from...
  - 6 (1) The Scottish Ministers may pay, or make provision for...
- Part 2 — ORGANISATION AND ADMINISTRATION OF THE TRIBUNAL
- 7 (1) The functions of the Tribunal shall be discharged by...
  - 8 (1) The Scottish Ministers may appoint such staff and provide...
  - 9 Such expenses of the Tribunal as the Scottish Ministers may...

Part 3 — TRIBUNAL PROCEDURE

- 10 (1) The Scottish Ministers may make rules as to the...
- 11 Subject to rules made under paragraph 10 above the President...
- 12 (1) The Tribunal may by citation require any person to...
- 13 (1) Subject to sub-paragraph (2) below, where a decision is...

Part 4 — REPORTS, INFORMATION ETC.

- 14 (1) The President shall, in respect of each period of...
- 15 The President shall, at such times and in respect of...

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*Changes to legislation:* There are outstanding changes not yet made by the [legislation.gov.uk](http://legislation.gov.uk) editorial team to Mental Health (Care and Treatment) (Scotland) Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

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16 (1) The Tribunal may pay to any person (other than...

SCHEDULE 3 — Application of Chapter 1 of Part 7 to certain patients

- 1 Section 57(3) of this Act shall have effect as if,...
- 2 (1) Section 64(4)(a)(i) of this Act shall have effect subject...
- 3 Section 65 of this Act shall not have effect.

SCHEDULE 4 — Minor and consequential amendments

- 1 (1) The Social Work (Scotland) Act 1968 shall be amended...
- 2 In section 64(5) of the Local Government (Scotland) Act 1973...
- 3 In section 102(1) of the National Health Service (Scotland) Act...
- 4 (1) The Disabled Persons (Services, Consultation and Representation) Act 1986...
- 5 In Part II of Schedule 1 to the Tribunals and...
- 6 In section 4(1) of the Prisoners and Criminal Proceedings (Scotland)...
- 7 In section 23(2) of the Children (Scotland) Act 1995 (children...
- 8 (1) The Criminal Procedure (Scotland) Act 1995 shall be amended...
- 9 (1) The Adults with Incapacity (Scotland) Act 2000 shall be...
- 10 In section 77(1) of the Regulation of Care (Scotland) Act...
- 11 In paragraph 4(6) of schedule 7 to the Housing (Scotland)...
- 12 (1) The Community Care and Health (Scotland) Act 2002 shall...
- 13 In schedule 3 to the Scottish Public Services Ombudsman Act...

SCHEDULE 5 — Repeals and revocations

- Part 1 — REPEALS  
Part 2 — REVOCATIONS

SCHEDULE 6 — Transitory amendments of the Mental Health (Scotland) Act 1984

- 1 Sections 33, 64 and 66 of the Mental Health (Scotland)...
- 2 In section 33 (discharge of patients from hospital), in subsection...
- 3 In section 64 (appeal by patient subject to restriction order)—...
- 4 In section 66 (further consideration of case of conditionally discharged...

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Mental Health (Care and Treatment) (Scotland) Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations.

**Changes and effects yet to be applied to :**

- s. 3(3)(d) repealed by 2004 asp 7 Sch. 2
- s. 3(3)(e) repealed by 2004 asp 7 Sch. 2
- s. 3(3)(fa) inserted by S.S.I. 2011/211 Sch. 2 para. 8(2)
- s. 4(2A) inserted by 2010 asp 8 s. 111(2)
- s. 5(a) text amended by 2010 asp 8 s. 111(4)(a)
- s. 5(b) text amended by 2010 asp 8 s. 111(4)(b)
- s. 7(f) substituted by 2010 asp 8 Sch. 14 para. 14
- s. 7(ea) inserted by 2010 asp 8 Sch. 17 para. 28
- s. 8(3)(k) substituted by 2010 asp 8 Sch. 14 para. 15
- s. 8(3)(ja) inserted by 2010 asp 8 Sch. 17 para. 29
- s. 8(4) text amended by S.S.I. 2011/211 Sch. 1 para. 13(2)
- s. 9(2)(e) substituted by 2010 asp 8 Sch. 14 para. 16
- s. 9(2)(da) inserted by 2010 asp 8 Sch. 17 para. 30
- s. 10(3) added by 2010 asp 8 s. 111(7)
- s. 11(1) text amended by 2010 asp 8 s. 111(8)(a)(i)(ii)
- s. 11(1)(a) text amended by 2010 asp 8 s. 111(8)(a)(iii)
- s. 11(1)(b) text amended by 2010 asp 8 s. 111(8)(a)(iv)
- s. 11(1A) inserted by 2010 asp 8 s. 111(8)(b)
- s. 12(1) text amended by 2010 asp 8 s. 111(9)
- s. 13(1) text amended by 2010 asp 8 s. 111(10)(a)
- s. 13(3) text amended by 2010 asp 8 s. 111(10)(b)
- s. 13(5A)(5B) substituted for s. 13(5) by 2010 asp 8 s. 111(10)(c)
- s. 13(7) repealed by 2010 asp 8 s. 111(10)(d)
- s. 13(8)(a) text amended by 2010 asp 8 s. 111(10)(e)
- s. 13(8)(b) text amended by 2010 asp 8 s. 111(10)(e)
- s. 14(1) text amended by 2010 asp 8 s. 111(11)(a)
- s. 14(1)(a)(ii) text amended by 2010 asp 8 s. 111(11)(b)
- s. 14(2)(a) text amended by 2010 asp 8 s. 111(11)(c)(i)(iii)
- s. 14(2)(a)(ii) text amended by 2010 asp 8 s. 111(11)(c)(ii)
- s. 14(2)(b) text amended by 2010 asp 8 s. 111(11)(d)
- s. 14(3) repealed by 2010 asp 8 s. 111(11)(e)
- s. 15(1) text amended by 2010 asp 8 s. 111(12)(a)
- s. 15(1A) inserted by 2010 asp 8 s. 111(12)(b)
- s. 15(2)(3) repealed by 2010 asp 8 s. 111(12)(c)
- s. 16(1) text amended by 2010 asp 8 s. 111(13)(a)
- s. 16(2)(a) and word repealed by 2010 asp 8 s. 111(13)(b)
- s. 16(3) text amended by 2010 asp 8 s. 111(13)(c)
- s. 17 text amended by 2010 asp 8 s. 111(14)
- s. 17(2)(i) substituted by 2010 asp 8 Sch. 14 para. 17
- s. 17(2)(ha) inserted by 2010 asp 8 Sch. 17 para. 31
- s. 25-27 restricted by S.I. 2005/2078 art. 14(1)
- s. 25(3)(a)(ii) text amended by S.S.I. 2011/211 Sch. 1 para. 13(3)
- s. 34(3)(c) substituted by 2010 asp 8 Sch. 14 para. 18
- s. 34(3)(ba) inserted by 2010 asp 8 Sch. 17 para. 32
- s. 36(2) text amended by S.S.I. 2005/465 Sch. 1 para. 32(2)
- s. 39 text amended by S.S.I. 2005/465 Sch. 1 para. 32(3)
- s. 44(2) text amended by S.S.I. 2005/465 Sch. 1 para. 32(4)
- s. 46(1) text amended by S.S.I. 2005/465 Sch. 1 para. 32(5)
- s. 47(1)(a) text amended by S.S.I. 2005/465 Sch. 1 para. 32(6)
- s. 49(1) text amended by S.S.I. 2005/465 Sch. 1 para. 32(7)
- s. 50(1) text amended by S.S.I. 2005/465 Sch. 1 para. 32(8)

- s. 51(a) text amended by S.S.I. 2005/465 Sch. 1 para. 32(9)
- s. 55 text amended by S.S.I. 2005/465 Sch. 1 para. 32(10)
- s. 76 modified by S.S.I. 2005/467 reg. 42(2)
- s. 76 modified by S.S.I. 2008/356 reg. 29(1)(2)
- s. 76(A1) inserted by S.S.I. 2005/465 Sch. 1 para. 32(11)
- s. 77(2) excluded by S.S.I. 2008/356 reg. 33(2)(3)
- s. 78(2) excluded by S.S.I. 2008/356 reg. 33(2)(3)
- s. 93(4A)-(4E) inserted by S.S.I. 2004/533 art. 2(2)(a)
- s. 93(5) text amended by S.S.I. 2004/533 art. 2(2)(b)
- s. 95(a) text amended by S.S.I. 2004/533 art. 2(3)(a)
- s. 95(a)(i) words in s. 95(a) renumbered as s. 95(a)(i) by S.S.I. 2004/533 art. 2(3)(b)
- s. 95(a)(ii)(iii) inserted by S.S.I. 2004/533 art. 2(3)(c)
- s. 100 modified by S.S.I. 2005/452 art. 4(1)
- s. 100 modified by S.S.I. 2005/452 art. 15(1)
- s. 101(2)(b) substituted by 2007 asp 10 s. 68(a)
- s. 101(3)(4) inserted by 2007 asp 10 s. 68(b)
- s. 127(2) excluded by S.S.I. 2005/452 art. 6(1)
- s. 127(2) excluded by S.S.I. 2005/452 art. 12(1)
- s. 127(3)(a) text amended by S.S.I. 2005/465 Sch. 1 para. 32(12)(a)
- s. 127(3)(a)(ii) and word inserted by S.S.I. 2005/465 Sch. 1 para. 32(12)(b)
- s. 130 text amended by S.S.I. 2005/465 Sch. 1 para. 32(13)
- s. 130 text amended by S.S.I. 2005/465 Sch. 2
- s. 133 text amended by S.S.I. 2005/465 Sch. 1 para. 32(14)
- s. 135 repealed by 2010 asp 13 Sch. 2 para. 48(a)
- s. 136 applied by S.I. 2005/2078 art. 13
- s. 137 modified by S.S.I. 2005/467 reg. 42(3)
- s. 137 modified by S.S.I. 2008/356 reg. 29(1)(3)
- s. 139(2) excluded by S.S.I. 2008/356 reg. 33(2)(3)
- s. 140(2) excluded by S.S.I. 2008/356 reg. 33(2)(3)
- s. 158(a)(iv) text amended by S.S.I. 2004/533 art. 2(4)(a)
- s. 158(a)(vi) and word inserted by S.S.I. 2004/533 art. 2(4)(b)
- s. 159(4A)-(4E) inserted by S.S.I. 2004/533 art. 2(5)(a)
- s. 161(a) text amended by S.S.I. 2004/533 art. 2(6)(a)
- s. 161(a)(i) words in s. 161(a) renumbered as s. 161(a)(i) by S.S.I. 2004/533 art. 2(6)(b)
- s. 161(a)(ii)(iii) inserted by S.S.I. 2004/533 art. 2(6)(c)
- s. 164 modified by S.S.I. 2005/452 art. 10(1)
- s. 164 modified by S.S.I. 2005/452 art. 17(2)
- s. 165(2)(b) modified by S.S.I. 2005/452 art. 10(4)
- s. 165(2)(b) modified by S.S.I. 2005/452 art. 17(5)
- s. 167(7)(a) text amended by S.S.I. 2005/465 Sch. 1 para. 32(15)
- s. 168 sidenote text amended by S.S.I. 2005/465 Sch. 1 para. 32(16)(a)
- s. 168(1) text amended by S.S.I. 2005/465 Sch. 1 para. 32(16)(b)
- s. 171(3)(a) text amended by S.S.I. 2005/465 Sch. 1 para. 32(17)
- s. 172 text amended by S.S.I. 2005/465 Sch. 2
- s. 179(1) text amended by S.S.I. 2005/465 Sch. 1 para. 32(18)
- s. 182(5) modified by S.S.I. 2005/452 art. 20(2)
- s. 183 modified by S.S.I. 2005/467 reg. 39
- s. 183(5)(b)(ii) substituted by 2007 asp 10 s. 69(1)
- s. 184(4)(b)(ii) substituted by 2007 asp 10 s. 69(2)
- s. 188(4)(b)(ii) substituted by 2007 asp 10 s. 69(3)
- s. 189(6) excluded by S.S.I. 2005/452 art. 20(3)
- s. 192(4) modified by S.S.I. 2005/452 art. 20(2)
- s. 193(4)(b)(ii) substituted by 2007 asp 10 s. 69(4)
- s. 207 modified by S.S.I. 2005/467 reg. 40
- s. 207(5)(b)(ii) substituted by 2007 asp 10 s. 70(1)
- s. 208(4)(b)(ii) substituted by 2007 asp 10 s. 70(2)
- s. 210(2)(b)(ii) substituted by 2007 asp 10 s. 70(3)

- s. 212(4)(b)(ii) substituted by 2007 asp 10 s. 70(4)
- s. 213(6) excluded by S.S.I. 2005/452 art. 25(1)
- s. 213(6) excluded by S.S.I. 2005/452 art. 29(3)
- s. 215(4)(b)(ii) substituted by 2007 asp 10 s. 70(5)
- s. 224(4) excluded by S.S.I. 2005/452 art. 21(1)
- s. 224(4) excluded by S.S.I. 2005/452 art. 26(1)
- s. 224(4) excluded by S.S.I. 2005/452 art. 30(1)
- s. 229 applied (with modifications) by S.S.I. 2005/467 reg. 4
- s. 229 applied (with modifications) by S.S.I. 2005/467 reg. 28
- s. 229 applied (with modifications) by S.S.I. 2008/356 reg. 17
- s. 230 applied (with modifications) by S.S.I. 2005/467 reg. 29
- s. 230 applied (with modifications) by S.S.I. 2008/356 reg. 18
- s. 240(2) restricted by S.S.I. 2005/452 art. 36(2)
- s. 240(4) excluded by S.S.I. 2005/452 art. 36(2)
- s. 246(1) s. 246 renumbered as s. 246(1) by S.S.I. 2004/533 art. 2(7)
- s. 246(2) inserted by S.S.I. 2004/533 art. 2(7)
- s. 248 applied (with modifications) by S.S.I. 2005/452 art. 36(4)
- s. 248(1) text amended by S.S.I. 2005/465 Sch. 1 para. 32(19)
- s. 252(1)(a) text amended by S.S.I. 2005/465 Sch. 1 para. 32(20)(a)
- s. 252(2) text amended by S.S.I. 2005/465 Sch. 1 para. 32(20)(b)
- s. 252(3) text amended by S.S.I. 2005/465 Sch. 1 para. 32(20)(c)
- s. 252(4) text amended by S.S.I. 2005/465 Sch. 1 para. 32(20)(d)
- s. 254(2)(a) text amended by 2004 c. 33 Sch. 28 para. 69(1)(2)
- s. 254(3) text amended by 2004 c. 33 Sch. 28 para. 69(1)(3)
- s. 254(7)(a)(ii) text amended by 2004 c. 33 Sch. 28 para. 69(1)(4)
- s. 254(7)(b) text amended by S.S.I. 2005/465 Sch. 1 para. 32(21)(a)
- s. 254(8)(b) text amended by S.S.I. 2005/465 Sch. 1 para. 32(21)(b)
- s. 260 modified by S.S.I. 2005/467 reg. 43
- s. 260 modified by S.S.I. 2008/356 reg. 30
- s. 260(3) applied by S.S.I. 2005/452 art. 40
- s. 261 modified by S.S.I. 2005/467 reg. 44
- s. 261 modified by S.S.I. 2008/356 reg. 31
- s. 274(1) text amended by S.S.I. 2004/533 art. 2(8)(a)
- s. 274(4) text amended by S.S.I. 2004/533 art. 2(8)(b)
- s. 274(5) text amended by S.S.I. 2004/533 art. 2(8)(c)(i)
- s. 274(5)(aa) inserted by S.S.I. 2004/533 art. 2(8)(c)
- s. 281(5)(la) inserted by S.S.I. 2011/211 Sch. 2 para. 8(3)
- s. 289(1)(a) words in s. 289(1) renumbered as s. 289(1)(a) by 2007 asp 10 s. 71(1)(a)(i)
- s. 289(1)(b) inserted by 2007 asp 10 s. 71(1)(a)(ii)
- s. 289(2) text amended by 2007 asp 10 s. 71(1)(b)
- s. 289(2A) inserted by S.S.I. 2004/533 art. 2(9)
- s. 289(2A) text amended by 2007 asp 10 s. 71(1)(d)
- s. 289(2XA)-(2ZA) inserted by 2007 asp 10 s. 71(1)(c)
- s. 289(4) inserted by 2007 asp 10 s. 71(1)(e)
- s. 290(2)(b)(i) text amended by S.S.I. 2004/533 art. 2(10)(a)(b)
- s. 298(5)(a)(ii) text amended by S.S.I. 2011/211 Sch. 2 para. 8(4)(a)
- s. 298(6) text amended by S.S.I. 2011/211 Sch. 1 para. 13(4)
- s. 298(6) text amended by S.S.I. 2011/211 Sch. 2 para. 8(4)(b)
- s. 300(b) text amended by S.S.I. 2011/211 Sch. 1 para. 13(5)
- s. 301-303 applied (with modifications) by S.S.I. 2005/467 reg. 22
- s. 301 applied (with modifications) by S.S.I. 2008/333 reg. 2 3
- s. 301 applied (with modifications) by S.S.I. 2008/356 reg. 12(4)(5)
- s. 302 applied (with modifications) by S.S.I. 2008/181 reg. 2
- s. 302 applied (with modifications) by S.S.I. 2008/333 reg. 4 5
- s. 303 applied (with modifications) by S.S.I. 2008/181 reg. 2
- s. 303 applied (with modifications) by S.S.I. 2008/333 reg. 6 7
- s. 303 applied (with modifications) by S.S.I. 2008/356 reg. 12(4)(5)

- s. 309(1) text amended by [2007 asp 10 s. 71\(2\)\(a\)](#)
- s. 309(2A) inserted by [2007 asp 10 s. 71\(2\)\(b\)](#)
- s. 310(2)(ia) inserted by [S.S.I. 2004/533 art. 2\(11\)](#)
- s. 311-313 repealed by [2009 asp 9 Sch. 6](#)
- s. 313(5)(a)(ii) text amended by [2004 c. 33 Sch. 28 para. 70](#)
- s. 314 repealed by [S.S.I. 2005/465 Sch. 2](#)
- s. 316(1)(c) and word inserted by [S.S.I. 2005/465 Sch. 1 para. 32\(22\)](#)
- s. 316(1)(c) text amended by [2007 asp 10 s. 71\(3\)](#)
- s. 319 repealed by [2009 asp 9 Sch. 6](#)
- s. 320 applied (with modifications) by [S.S.I. 2005/467 reg. 14](#)
- s. 320 applied (with modifications) by [S.S.I. 2008/356 reg. 9](#)
- s. 321 applied (with modifications) by [S.S.I. 2005/467 reg. 14](#)
- s. 321 applied (with modifications) by [S.S.I. 2008/356 reg. 9](#)
- s. 322 applied (with modifications) by [S.S.I. 2005/467 reg. 15](#)
- s. 323(2)(a) words substituted by [2005 c. 4 Sch. 9 para. 83](#)
- s. 326(4)(a) text amended by [2010 asp 8 Sch. 18 para. 1](#)
- s. 326(4)(a) text amended by [S.S.I. 2005/465 Sch. 1 para. 32\(23\)\(a\)](#)
- s. 326(4)(c) text amended by [2007 asp 10 s. 71\(4\)](#)
- s. 326(4)(c) text amended by [2007 asp 10 s. 72\(2\)](#)
- s. 326(4)(c) text amended by [2009 asp 9 Sch. 5 para. 6](#)
- s. 326(4)(c) text amended by [S.S.I. 2005/465 Sch. 1 para. 32\(23\)\(b\)](#)
- s. 329(1) text amended by [S.S.I. 2005/465 Sch. 1 para. 32\(24\)\(a\)](#)
- s. 329(1) text amended by [S.S.I. 2011/211 Sch. 1 para. 13\(6\)](#)
- s. 329(1) text amended by [S.S.I. 2011/211 Sch. 2 para. 8\(5\)](#)
- s. 329(4) substituted by [S.S.I. 2005/465 Sch. 1 para. 32\(24\)\(b\)](#)
- s. 331(4) inserted by [S.S.I. 2005/465 Sch. 1 para. 32\(25\)](#)
- Sch. 1 para. 2A-2E inserted by [2010 asp 8 Sch. 18 para. 4](#)
- Sch. 1 para. 7A-7I inserted by [2010 asp 8 Sch. 18 para. 7](#)
- Sch. 1 para. 10A 10B inserted by [2010 asp 8 Sch. 18 para. 9](#)
- Sch. 1 para. 3 repealed by [2010 asp 8 Sch. 18 para. 3](#)
- Sch. 1 para. 4 repealed by [2010 asp 8 Sch. 18 para. 3](#)
- Sch. 1 para. 5 repealed by [2010 asp 8 Sch. 18 para. 3](#)
- Sch. 1 para. 8 repealed by [2010 asp 8 Sch. 18 para. 8](#)
- Sch. 1 entry 24A text amended by [2005 asp 12 Sch. 1 para. 20](#)
- Sch. 1 entry 97A text amended by [2005 asp 12 Sch. 2 para. 4](#)
- Sch. 1 para. 3(1)(b) text amended by [2007 asp 10 Sch. 1 para. 6](#)
- Sch. 1 para. 7 title text amended by [2010 asp 8 Sch. 18 para. 6](#)
- Sch. 1 para. 7(1) text amended by [2010 asp 8 Sch. 18 para. 5\(a\)](#)
- Sch. 1 para. 7(1)(a) text amended by [2010 asp 8 Sch. 18 para. 5\(b\)](#)
- Sch. 1 para. 7(3) text amended by [2010 asp 8 Sch. 18 para. 5\(c\)](#)
- Sch. 1 para. 7(4) text amended by [2010 asp 8 Sch. 18 para. 5\(d\)](#)
- Sch. 2 para. 13A inserted by [2007 asp 10 s. 73](#)
- Sch. 2 para. 7(1) power to delegate functions conferred by [S.S.I. 2004/373 reg. 2\(1\)](#)
- Sch. 2 para. 7(2) power to delegate functions conferred by [S.S.I. 2004/373 reg. 2\(1\)](#)
- Sch. 2 para. 7(3)(a)(ii) power to delegate functions conferred by [S.S.I. 2004/373 reg. 2\(1\)](#)
- Sch. 2 para. 7(3)(b) power to delegate functions conferred by [S.S.I. 2004/373 reg. 2\(1\)](#)
- Sch. 2 para. 7(4)(a) power to delegate functions conferred by [S.S.I. 2004/373 reg. 2\(2\)](#)
- Sch. 2 para. 7(4)(b) power to delegate functions conferred by [S.S.I. 2004/373 reg. 2\(1\)](#)
- Sch. 2 para. 7(6) power to delegate functions conferred by [S.S.I. 2004/373 reg. 2\(1\)](#)
- Sch. 2 para. 8(3) power to delegate functions conferred by [S.S.I. 2004/373 reg. 2\(1\)](#)
- Sch. 2 para. 15 power to delegate functions conferred by [S.S.I. 2004/373 reg. 2\(1\)](#)
- Sch. 2 para. 16(1)(2) power to delegate functions conferred by [S.S.I. 2004/373 reg. 2\(1\)](#)
- Sch. 2 para. 4(3)(b) repealed by [2005 asp 13 Sch. 3](#)

- Sch. 2 para. 4(6)(b) repealed by 2005 asp 13 Sch. 3
- Sch. 2 para. 7(4) text amended by S.S.I. 2005/465 Sch. 1 para. 32(26)(a)
- Sch. 2 para. 13(4)(b) text amended by S.S.I. 2005/465 Sch. 1 para. 32(26)(b)
- Sch. 4 para. 1(5) repealed by 2006 asp 3 s. 8(4)(h)
- Sch. 4 para. 8(15) repealed by 2010 asp 13 Sch. 2 para. 48(b)
- Sch. 4 para. 8(2)(b) text amended by S.S.I. 2005/465 Sch. 2
- Sch. 4 para. 8(4)(b)(ii) text amended by S.S.I. 2005/465 Sch. 1 para. 32(27)
- Sch. 5 text amended by S.S.I. 2005/465 Sch. 1 para. 32(28)
- Sch. 5 text amended by S.S.I. 2005/465 Sch. 2

**Changes and effects yet to be applied to the whole Act, associated Parts and Chapters:**

- Act applied by S.S.I. 2005/467 reg. 46
- Act applied (with modifications) by S.S.I. 2008/356 reg. 33(1)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4A inserted by 2010 asp 8 s. 111(3)
- s. 8A inserted by 2010 asp 8 s. 111(5)
- s. 9A inserted by 2010 asp 8 s. 111(6)
- s. 309A inserted by 2007 asp 10 s. 72(1)

**Commencement Orders yet to be applied to the Mental Health (Care and Treatment) (Scotland) Act 2003:**

Commencement Orders bringing provisions within this Act into force:

- S.S.I. 2003/316 art. 2 commences (2003 asp 13)
- S.S.I. 2004/153 art. 2 3 Sch. 1 2 commences (2003 asp 13)
- S.S.I. 2004/367 art. 2 3 Sch. 1 2 commences (2002 asp 13)
- S.S.I. 2005/161 art. 2-4 commences (2003 asp 13)
- S.S.I. 2005/375 art. 2 amendment to earlier commencing SSI 2005/161 art. 3

Commencement Orders bringing legislation that affects this Act into force:

- S.I. 2009/1604 art. 2 commences (2005 c. 4)
- S.S.I. 2005/492 art. 3 Sch. 1-3 commences (2005 asp 13)
- S.S.I. 2005/604 art. 2-4 commences (2004 c. 33)
- S.S.I. 2008/314 art. 2 commences (2007 asp 10)
- S.S.I. 2010/221 art. 3 commences (2010 asp 8)
- S.S.I. 2010/321 art. 3 commences (2010 asp 8)
- S.S.I. 2010/357 art. 2 commences (2009 asp 9)
- S.S.I. 2010/413 art. 2 Sch. commences (2010 asp 13)
- S.S.I. 2011/122 art. 2 3 commences (2010 asp 8)