



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

2003 asp 13

PART 7

COMPULSORY TREATMENT ORDERS

CHAPTER 4

REVIEW OF ORDERS

Powers of Tribunal

104 Powers of Tribunal on reference under section 96 or 98

- (1) Where a reference is made under section 96 or 98 of this Act, the Tribunal may make an order—
 - (a) varying the compulsory treatment order in respect of which the reference is made by modifying—
 - (i) the measures; or
 - (ii) any recorded matter, specified in it; or
 - (b) revoking the compulsory treatment order.
- (2) Before making an order under subsection (1) above, the Tribunal shall allow the persons mentioned in subsection (3) below the opportunity—
 - (a) of making representations (whether orally or in writing); and
 - (b) of leading, or producing, evidence.
- (3) Those persons are—
 - (a) the persons mentioned in section 102(3)(a) to (h) of this Act; and
 - (b) any other person appearing to the Tribunal to have an interest in the reference.