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

2003 asp 13

PART 7

COMPULSORY TREATMENT ORDERS

CHAPTER 5

BREACH OF ORDERS

Non-compliance generally with order

116   Certificate under section 114(2) or 115(2): notification

(1) This section applies where a certificate is granted under section 114(2) or 115(2) of this Act in respect of a patient.

(2) The managers of the hospital in which the patient is detained shall, as soon as practicable after the granting of the certificate, give notice of its granting to—
  (a)   the patient;
  (b)   the patient's named person;
  (c)   any guardian of the patient; and
  (d)   any welfare attorney of the patient.

(3) The managers of the hospital in which the patient is detained shall, before the expiry of the period of 7 days beginning with the granting of the certificate, give notice of its granting, and send a copy of it, to—
  (a)   the Tribunal; and
  (b)   the Commission.

2   *Mental Health (Care and Treatment) (Scotland) Act 2003 asp 13*
Part 7 – Compulsory treatment orders
Chapter 5 – Breach of orders
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*Changes to legislation: Mental Health (Care and Treatment) (Scotland) Act 2003, Section 116 is
up to date with all changes known to be in force on or before 10 May 2023. There are changes that
may be brought into force at a future date. Changes that have been made appear in the content
and are referenced with annotations. (See end of Document for details) View outstanding changes*

Commencement Information

I1   S. 116 in force at 5.10.2005 by S.S.I. 2005/161, **art. 3** (as substituted (1.7.2005) by S.S.I. 2005/375,
         art. 2 and as amended (22.9.2005) by S.S.I. 2005/459, art. 2)

Changes to legislation:
Mental Health (Care and Treatment) (Scotland) Act 2003, Section 116 is up to date with all changes known to be in force on or before 10 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

–   s. 64(8A)(8B) inserted by 2015 asp 9 s. 1(2)
–   s. 65(7) inserted by 2015 asp 9 s. 1(3)