



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

2003 asp 13

PART 9

COMPULSION ORDERS

CHAPTER 2

REVIEW OF COMPULSION ORDERS

Extension of order following further review

151 Proposed extension of order on further review: mental health officer's duties

- (1) The mental health officer shall, as soon as practicable after receiving notice under section 150(2) of this Act, comply with the requirements in subsection (2) below.
- (2) Those requirements are—
 - (a) subject to subsection (3) below, to interview the patient;
 - (b) to inform the patient—
 - (i) that the patient's responsible medical officer is proposing to make a determination under section 152 of this Act extending the compulsion order to which the patient is subject for the period mentioned in section 152(3) of this Act that applies in the patient's case;
 - (ii) of the patient's rights in relation to such a determination; and
 - (iii) of the availability of independent advocacy services under section 259 of this Act;
 - (c) to take appropriate steps to ensure that the patient has the opportunity of making use of those services; and
 - (d) to inform the patient's responsible medical officer—
 - (i) as to whether the mental health officer agrees, or disagrees, that the determination that is proposed should be made;

Status: This is the original version (as it was originally enacted).

- (ii) if the mental health officer disagrees, of the reason why that is the case; and
 - (iii) of any other matters that the mental health officer considers relevant.
- (3) If it is impracticable for the mental health officer to comply with the requirement in subsection (2)(a) above, the mental health officer need not do so.