



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

2003 asp 13

PART 18

MISCELLANEOUS

Communications, security etc.

283 Review of decision to withhold postal packet

- (1) This section applies where a relevant item is withheld under—
 - (a) subsection (1) of section 281 of this Act by virtue of subsection (3) of that section; or
 - (b) subsection (6) of that section.
- (2) On an application—
 - (a) in the case where a relevant item is withheld as mentioned in paragraph (a) of subsection (1) above, by the specified person; or
 - (b) in the case where a relevant item is withheld as mentioned in paragraph (b) of that subsection, by—
 - (i) the specified person; or
 - (ii) the person by whom the postal packet was sent,the Commission shall review the decision to withhold the relevant item.
- (3) Any application under subsection (2) above shall be made before the expiry of the period of 6 months beginning with the day on which the person making the application receives notice under section 282(4) of this Act.
- (4) On an application under subsection (2) above the Commission may direct that the relevant item should not be withheld; and the managers of the hospital concerned shall comply with any such direction.
- (5) Regulations may make provision with respect to the making of applications under subsection (2) above.

Status: This is the original version (as it was originally enacted).

(6) Regulations under subsection (5) above may in particular make provision as to the production to the Commission of relevant items.

(7) In this section—

“postal packet” has the same meaning as in section 281 of this Act;

“relevant item” means a postal packet or anything contained in it; and

“specified person” has the same meaning as in that section.