



# Adult Support and Protection (Scotland) Act 2007

2007 asp 10

## PART 4

### MENTAL HEALTH: MISCELLANEOUS AMENDMENTS AND REPEALS

#### 68 **Review of determination extending compulsory treatment order**

Section 101 (duty of Mental Health Tribunal to review determination extending compulsory treatment order) of the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13) is amended as follows—

- (a) for subsection (2)(b) substitute—
  - “(b) the conditions in subsection (3) are satisfied in relation to the compulsory treatment order to which the determination relates,”
- (b) after subsection (2) insert—
  - “(3) The conditions mentioned in subsection (2)(b) above are—
    - (a) that the order was made 2 or more years before the renewal day;
    - (b) that this section did not require the Tribunal to review the previous determination made under section 86 of this Act in relation to the order; and
    - (c) that, in the period of 2 years ending with the day before the renewal day, no application has been made to the Tribunal under section 92, 99, 95 or 100 in relation to the order.
  - (4) In subsection (3) above, the renewal day is the first day on which the order, had it not been extended by the determination, would not authorise the measures specified in it.”

#### **Commencement Information**

**II** S. 68 in force at 5.10.2007 by [S.S.I. 2007/334](#), art. 2(b), [Sch. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Adult Support and Protection (Scotland) Act 2007, Section 68.