

*These notes relate to the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13) which received Royal Assent on 25 April 2003*

# **MENTAL HEALTH (CARE AND TREATMENT) (SCOTLAND) ACT 2003**

---

## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 10 - Compulsion Orders and Restriction Orders**

##### *Chapter 2: review of orders*

#### **Reference to Tribunal by Scottish Ministers**

##### *Section 187: duty of Scottish Ministers to refer to Tribunal if required to do so by Commission*

336. [Section 187](#) provides that, where the Commission has notified the Scottish Ministers under section 186, the Scottish Ministers have a duty to refer the case to the Tribunal. Notice of the reference must be given to the persons listed in paragraphs (a) to (g) of section 185(2) and it must state the information set out in section 187(4). The Scottish Ministers should, if possible, notify those persons before making the reference.