

*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 11 – Hospital Directions and Transfer for Treatment Directions

Consequences of review

Section 207: responsible medical officer's report following review of direction

370. **Section 207** makes provision for the procedure following reviews under section 206. The responsible medical officer must submit a report to the Scottish Ministers recording that officer's views on the matters set out in subsection (3). If the responsible medical officer is not satisfied that the patient has a mental disorder, the officer must include in the report a recommendation that the direction be revoked. If the responsible medical officer, while satisfied that the patient has a mental disorder, is not satisfied that it is necessary to detain the patient in hospital to protect any other person from serious harm and is not satisfied that the conditions in section 206(4)(b) and (c) are met, the officer must again recommend revocation of the direction.