

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

Reference to Tribunal by Scottish Ministers

Section 211: notice under section 209(2): reference to Tribunal

376. **Section 211** provides that, where the Commission has notified the Scottish Ministers under section 209(2) that they require the Scottish Ministers to refer a patient's case to the Tribunal, the Scottish Ministers have a duty to refer the patient's case to the Tribunal as soon as practicable. Notice that the reference is to be made must be given by the Scottish Ministers as soon as practicable to the persons listed in paragraphs (a) to (g) of subsection 210(4) and the reference must state the information set out in subsection (4).