



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

2003 asp 13

PART 7

COMPULSORY TREATMENT ORDERS

CHAPTER 1

APPLICATION FOR, AND MAKING OF, ORDERS

Application of Chapter where patient subject to hospital direction or transfer for treatment direction

71 Application of Chapter where patient subject to hospital direction or transfer for treatment direction

Where a patient is subject to—

- (a) a hospital direction; or
- (b) a transfer for treatment direction,

this Chapter shall have effect in accordance with schedule 3 to this Act.

Commencement Information

- II** S. 71 in force at 5.10.2005 by [S.S.I. 2005/161, art. 3](#) (as substituted (1.7.2005) by [S.S.I. 2005/375](#), art. 2 and as amended (22.9.2005) by [S.S.I. 2005/459](#), art. 2)

[^{F1}71A Compulsory treatment in hospital unit

- (1) In sections 62 to 68 of this Act, a reference to a hospital may be read as a reference to a hospital unit.

Changes to legislation: *Mental Health (Care and Treatment) (Scotland) Act 2003, Cross Heading: Application of Chapter where patient subject to hospital direction or transfer for treatment direction is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(2) For the purposes of subsection (1) above, “hospital unit” means any part of a hospital which is treated as a separate unit.]

Textual Amendments

F1 S. 71A inserted (30.6.2017) by [Mental Health \(Scotland\) Act 2015 \(asp 9\)](#), **ss. 11(4)**, 61(2); S.S.I. 2017/197, art. 2, sch.

Changes to legislation:

Mental Health (Care and Treatment) (Scotland) Act 2003, Cross Heading: Application of Chapter where patient subject to hospital direction or transfer for treatment direction is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 64(8A)(8B) inserted by [2015 asp 9 s. 1\(2\)](#)
- s. 65(7) inserted by [2015 asp 9 s. 1\(3\)](#)