



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

2003 asp 13

PART 7

COMPULSORY TREATMENT ORDERS

CHAPTER 1

APPLICATION FOR, AND MAKING OF, ORDERS

Extension of short-term detention: special case

68 Extension of short-term detention pending determination of application

- (1) Where—
 - (a) the detention of a patient in hospital is authorised by—
 - (i) a short-term detention certificate; or
 - (ii) an extension certificate; and
 - (b) before the expiry of the period of detention so authorised, an application is made under section 63 of this Act,the measures mentioned in subsection (2) below are authorised.
- (2) Those measures are—
 - (a) the detention in hospital of the patient for the period of 5 days beginning with the expiry of the period for which the certificate authorises the detention of the patient in hospital; and
 - (b) the giving to the patient, in accordance with Part 16 of this Act, of medical treatment.
- (3) In reckoning the period of days mentioned in subsection (2)(a) above, there shall be left out of account any day which is not a working day.
- (4) In this section “working day” has the meaning given by section 47(8) of this Act.

Changes to legislation: *Mental Health (Care and Treatment) (Scotland) Act 2003, Cross Heading: Extension of short-term detention: special case 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*

Commencement Information

- II** **S. 68** 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)

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[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\(3\)](#)