



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

2003 asp 13

PART 7

COMPULSORY TREATMENT ORDERS

CHAPTER 4

REVIEW OF ORDERS

Powers of Tribunal

109 Ancillary powers of Tribunal

- (1) This section applies where—
- (a) an application is made to the Tribunal under section 92, 95, 99 or 100 of this Act;
 - (b) the Tribunal is, under section 101 of this Act, reviewing a determination; or
 - (c) a reference is made to the Tribunal under section 96 or 98 of this Act.
- (2) Regulations may prescribe circumstances in which the Tribunal may require—
- (a) the patient's responsible medical officer; or
 - (b) the mental health officer,
- to prepare and submit to the Tribunal reports on such matters as may be prescribed.

Commencement Information

- 11** S. 109 in force at 21.3.2005 for specified purposes by [S.S.I. 2005/161](#), [art. 2](#), [Sch. 1](#)
- 12** [S. 109](#) in force at 5.10.2005 in so far as not already in force 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](#))

Changes to legislation:

Mental Health (Care and Treatment) (Scotland) Act 2003, Section 109 is up to date with all changes known to be in force on or before 10 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\(3\)](#)