



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

2003 asp 13

PART 7

COMPULSORY TREATMENT ORDERS

CHAPTER 7

SUSPENSION

129 Certificates under sections 127 and 128: revocation

- (1) Subsection (2) below applies where a certificate is granted under section 127(1) or (3) or 128(1) of this Act.
- (2) If the patient's responsible medical officer is satisfied that it is necessary—
 - (a) in the interests of the patient; or
 - (b) for the protection of any other person,that the certificate be revoked, the responsible medical officer may revoke the certificate.
- (3) Where the responsible medical officer revokes under subsection (2) above a certificate granted under subsection (1) or (3) of section 127 of this Act, the responsible medical officer shall, as soon as practicable after the revocation, give notice of it to—
 - (a) the patient;
 - (b) the patient's named person;
 - (c) the mental health officer;
 - (d) where a person is authorised for the purposes of subsection (6)(a) of that section, that person; and
 - (e) the patient's general medical practitioner.
- (4) Where the responsible medical officer revokes under subsection (2) above a certificate granted under section 128(1) of this Act, the responsible medical officer shall, as soon

Changes to legislation: Mental Health (Care and Treatment) (Scotland) Act 2003, Section 129 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. (See end of Document for details) [View outstanding changes](#)

as practicable after the revocation, give notice to the persons mentioned in paragraphs (a) to (c) of subsection (3) above of—

- (a) the revocation; and
- (b) the responsible medical officer's reasons for revoking the certificate.

- (5) Where the responsible medical officer revokes under subsection (2) above a certificate granted under section 127(1) or (3) or 128(1) of this Act, the responsible medical officer shall, before the expiry of the period of 14 days beginning with the day on which the certificate is revoked, give notice of the revocation to the Commission.

Commencement Information

- II** [S. 129](#) 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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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\(3\)](#)