



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

2003 asp 13

PART 9

COMPULSION ORDERS

CHAPTER 2

REVIEW OF COMPULSION ORDERS

Extension of order following first review

147 Proposed extension on first review: mental health officer's duties

- (1) The mental health officer shall, as soon as practicable after receiving notice under section 146(2) of this Act, comply with the requirements in subsection (2) below.
- (2) Those requirements are—
 - (a) subject to subsection (3) below, to interview the patient;
 - (b) to inform the patient—
 - (i) that the patient's responsible medical officer is proposing to make an application under section 149 of this Act for an order under section 167 of this Act;
 - (ii) of the patient's rights in relation to such an application; and
 - (iii) of the availability of independent advocacy services under section 259 of this Act;
 - (c) to take appropriate steps to ensure that the patient has the opportunity of making use of those services; and
 - (d) to inform the patient's responsible medical officer—
 - (i) as to whether the mental health officer agrees, or disagrees, that the proposed application should be made;
 - (ii) if the mental health officer disagrees, of the reason why that is the case; and

Status: This is the original version (as it was originally enacted).

(iii) of any other matters that the mental health officer considers relevant.

- (3) If it is impracticable for the mental health officer to comply with the requirement in subsection (2)(a) above, the mental health officer need not do so.