



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

2003 asp 13

PART 9

COMPULSION ORDERS

CHAPTER 2

REVIEW OF COMPULSION ORDERS

Applications to Tribunal by patient etc.

[^{F1}164A Application to end disclosure period for compulsion order

- (1) This section applies where a patient is subject to a relevant compulsion order.
- (2) Either of the persons mentioned in subsection (3) may make an application under this section to the Tribunal for a determination under section 167A that the disclosure period applicable to the compulsion order is to come to an end.
- (3) The persons referred to in subsection (2) are—
 - (a) the patient, and
 - (b) the patient's named person.
- (4) An application under this section may not be made until the expiry of the period of 12 months beginning with the day on which the order is made (or is deemed under section 198(2) to be made).
- (5) Where an application under this section relating to a compulsion order has already been refused by the Tribunal, a further such application relating to the order may not be made until the expiry of the period of 12 months beginning with the date of such refusal (or, where applicable, the date of the most recent such refusal).
- (6) An application under this section must be accompanied by such documents as may be prescribed by regulations.]

Changes to legislation: *Mental Health (Care and Treatment) (Scotland) Act 2003, Section 164A* is up to date with all changes known to be in force on or before 22 May 2024. 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](#)

Textual Amendments

- F1** S. 164A inserted (30.11.2020) by [Management of Offenders \(Scotland\) Act 2019 \(asp 14\)](#), **ss. 26(4), 63(2)**; S.S.I. 2020/245, reg. 2, sch. (with reg. 3)

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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\(3\)](#)