



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

## 2003 asp 13

### PART 9

#### COMPULSION ORDERS

#### CHAPTER 2

#### REVIEW OF COMPULSION ORDERS

#### *Powers of Tribunal*

#### **168 Interim extension etc. of order: application under section 149<sup>[F1]</sup> or 158]**

- (1) This section applies where an application is made under section 149<sup>[F2]</sup> or 158] of this Act.
- (2) Subject to section 170 of this Act, on the application of any person having an interest in the proceedings, or *ex proprio motu*, the Tribunal may, if it considers—
  - (a) that it will be unable to determine the application before the compulsion order to which the application relates ceases to authorise the measures specified in it; and
  - (b) that it is appropriate, pending its determining the application, to—
    - (i) extend the order; or
    - (ii) extend and vary the order by modifying the measures specified in it, make an interim order extending, or extending and varying, the compulsion order for such period not exceeding 28 days as may be specified in the order of the Tribunal.

#### **Textual Amendments**

- F1** Words in s. 168 inserted (27.9.2005) by [Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 \(Modification of Enactments\) Order 2005 \(S.S.I. 2005/465\)](#), art. 1, [sch. 1 para. 32\(16\)\(a\)](#)

---

**Changes to legislation:** *Mental Health (Care and Treatment) (Scotland) Act 2003, Section 168 is up to date with all changes known to be in force on or before 26 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*

---

- F2** Words in s. 168(1) inserted (27.9.2005) by [Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 \(Modification of Enactments\) Order 2005 \(S.S.I. 2005/465\)](#), art. 1, **sch. 1 para. 32(16)(b)**

---

**Commencement Information**

- I1** S. 168 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)

**Changes to legislation:**

Mental Health (Care and Treatment) (Scotland) Act 2003, Section 168 is up to date with all changes known to be in force on or before 26 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\(3\)](#)