



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

## 2003 asp 13

### PART 7

#### COMPULSORY TREATMENT ORDERS

#### CHAPTER 2

##### INTERIM COMPULSORY TREATMENT ORDERS: REVIEW AND REVOCATION

#### 74 Revocation under section 72 or 73: notification

- (1) Where a patient's responsible medical officer makes a determination under section 72 of this Act, the responsible medical officer shall, as soon as practicable after doing so—
  - (a) give notice of the determination; and
  - (b) send a statement of the reasons for it,to the Commission and to the persons mentioned in subsection (3) below.
- (2) Where the Commission makes a determination under section 73 of this Act, it shall, as soon as practicable after doing so—
  - (a) give notice of the determination; and
  - (b) send a statement of the reasons for it,to the patient's responsible medical officer and to the persons mentioned in subsection (3) below.
- (3) The persons referred to in subsections (1) and (2) above are—
  - (a) the patient;
  - (b) the patient's named person;
  - (c) any guardian of the patient;
  - (d) any welfare attorney of the patient;
  - (e) the mental health officer; and
  - (f) the Tribunal.

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**Changes to legislation:** *Mental Health (Care and Treatment) (Scotland) Act 2003, Section 74 is up to date with all changes known to be in force on or before 25 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](#)*

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#### **Commencement Information**

- II** [S. 74](#) 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:**

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[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\(3\)](#)