



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

2003 asp 13

PART 7

COMPULSORY TREATMENT ORDERS

CHAPTER 4

REVIEW OF ORDERS

Extension and variation of order: application by responsible medical officer

90 Responsible medical officer's duty to apply for extension and variation of order

- (1) If, having regard to—
 - (a) any views expressed by persons consulted under section 77(3)(c) of this Act for the purpose of the review being carried out; and
 - (b) any views expressed by the mental health officer under section 89(2)(e) of this Act for the purpose of that review,the responsible medical officer is satisfied as to the matters mentioned in section 88(2)(a) and (b) of this Act, the responsible medical officer shall comply with the requirement in subsection (2) below.
- (2) That requirement is to make an application to the Tribunal under section 92 of this Act for an order—
 - (a) extending the compulsory treatment order for the period mentioned in section 88(4) of this Act; and
 - (b) varying that order by modifying the measures, or a recorded matter, specified in it.
- (3) An application made under section 92 of this Act, by virtue of subsection (1) above, for an order mentioned in subsection (2) above shall be made as soon as practicable after the duty to make it arises.

Status: Point in time view as at 05/10/2005.

Changes to legislation: Mental Health (Care and Treatment) (Scotland) Act 2003, Section 90 is up to date with all changes known to be in force on or before 19 January 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)

Commencement Information

- II** S. 90 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)

Status:

Point in time view as at 05/10/2005.

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