



# Mental Health (Scotland) Act 2015

## 2015 asp 9

### PART 1

#### THE 2003 ACT

##### *Periodical referral of cases*

#### **21 Periodical referral of cases**

- (1) The Mental Health (Care and Treatment) (Scotland) Act 2003 is amended as follows.
- (2) In subsection (3)(c) of section 101 (Tribunal's duty to review determination under section 86), for the words "made to" there is substituted "determined by".
- (3) In section 189 (reference to Tribunal by Scottish Ministers)—
  - (a) in subsection (2), for the words "made to" in each place where they occur there is substituted "determined by",
  - (b) in subsection (3)—
    - (i) for the words "made to" there is substituted "determined by",
    - (ii) after the words "made under subsection (2) above" there is inserted "that has been determined by it".
- (4) In section 213 (reference to Tribunal by Scottish Ministers)—
  - (a) in subsection (2), for the words "made to" in each place where they occur there is substituted "determined by",
  - (b) in subsection (3)—
    - (i) for the words "made to" there is substituted "determined by",
    - (ii) after the words "made under subsection (2) above" there is inserted "that has been determined by it".
- (5) In schedule 2 (the Mental Health Tribunal for Scotland), paragraph 13A is repealed.