
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 312

**The Mental Health (Content and amendment of
Part 9 care plans) (Scotland) Regulations 2005**

Amendment of Part 9 care plan

3.—(1) The circumstances prescribed for the purpose of section 137(5)(a) (circumstances in which Part 9 care plan must be amended) are—

- (a) where the Tribunal has made an order under—
 - (i) section 166(1)(d) (confirmation of determination and variation of compulsion order);
 - (ii) section 167(1)(a) (extension of compulsion order);
 - (iii) section 167(2)(a) (extension and variation of compulsion order);
 - (iv) section 167(3)(d) (confirmation of determination and variation of compulsion order);
 - (v) section 167(4)(b) (variation of compulsion order);
 - (vi) section 167(5)(a) (variation of compulsion order); or
 - (vii) section 171(1)(a) (variation of compulsion order);
- (b) where the Tribunal has made an interim order under—
 - (i) section 168(2)(b)(i) (extension of compulsion order);
 - (ii) section 168(2)(b)(ii) (extension and variation of compulsion order); or
 - (iii) section 169(2) (variation of compulsion order);
- (c) where the patient's responsible medical officer has—
 - (i) granted a certificate under either section 127(1)(b)(1) or 128(1)(b)(2) (periods during which measures are not authorised) specifying a period exceeding 28 days;
 - (ii) revoked such a certificate under section 129(2)(c)(3) (grounds for revocation of certificate);
 - (iii) made a determination extending a compulsion order under section 152(2) (extension of compulsion order following further review); or
 - (iv) carried out any further mandatory review under section 140(2) (carrying out of further review of compulsion order by responsible medical officer); and
- (d) where a patient ceases to be subject to a notification requirement under Part 2 of the Sexual Offences Act 2003 or where a sexual offences prevention order to which that patient is subject under section 105 of that Act is varied, renewed or discharged.

(1) Section 127 is applied to a patient subject to a relevant compulsion order by section 179(1).
(2) Section 128 is applied to a patient subject to a relevant compulsion order by section 179(2).
(3) Section 129 is applied to a patient subject to a relevant compulsion order by section 179(3).