



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

2003 asp 13

PART 7

COMPULSORY TREATMENT ORDERS

CHAPTER 4

REVIEW OF ORDERS

Mandatory reviews by responsible medical officer

78 Further mandatory reviews

- (1) This section applies where a compulsory treatment order is extended—
 - (a) by a determination under section 86 of this Act; or
 - (b) by virtue of an order under section 103 of this Act.
- (2) The patient's responsible medical officer shall, during the period mentioned in subsection (3) below, carry out a review in respect of the compulsory treatment order (such review being referred to in this Part of this Act as a "further review") by complying with the requirements set out in section 77(3) of this Act.
- (3) The period referred to in subsection (2) above is the period of 2 months ending with the day on which the compulsory treatment order as extended by the determination, or by virtue of the order under section 103 of this Act, ceases to authorise the measures specified in it.

Modifications etc. (not altering text)

- C1** S. 78(2) modified (3.11.2008) by [Mental Health \(England and Wales Cross-border transfer: patients subject to requirements other than detention\) \(Scotland\) Regulations 2008 \(S.S.I. 2008/356\)](#), regs. 1(1), **33(2)**, (3)(b) (with reg. 2)

Status: Point in time view as at 03/11/2008.

Changes to legislation: Mental Health (Care and Treatment) (Scotland) Act 2003, Section 78 is up to date with all changes known to be in force on or before 13 June 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. 78 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:

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