
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 519

The Mental Health Tribunal for Scotland
(Practice and Procedure) (No. 2) Rules 2005

PART V
REVIEWS

Notice of review

35.—(1) Where the Tribunal intend to review a determination under section 101(2) or 165(2) of the Act, the Clerk shall send notice of review to the following persons:—

- (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;
- (f) the patient's responsible medical officer;
- (g) the patient's primary carer;
- (h) any curator *ad litem* appointed in respect of the patient by the Tribunal; and
- (i) any other person appearing to the Tribunal to have an interest in the determination.

(2) The notice shall inform the persons—

- (a) of the case number of the review (which must from then on be referred to in all correspondence relating to the review);
- (b) that a review is to be made by the Tribunal and of the reason for the review;
- (c) of the date, time and place of the hearing; and
- (d) that they are being afforded the opportunity—
 - (i) of making representations (whether orally or in writing); and
 - (ii) of leading, or producing, evidence.

Changes to legislation:

There are currently no known outstanding effects for the The Mental Health Tribunal for Scotland (Practice and Procedure) (No. 2) Rules 2005, Section 35.