



Mental Health (Amendment) Act 1982

1982 CHAPTER 51

PART VI

CONSENT TO TREATMENT

42 Preliminary

- (1) This Part of this Act applies to any patient liable to be detained under the principal Act or this Act except—
 - (a) a patient who is liable to be detained by virtue of an emergency application and in respect of whom the second medical recommendation referred to in section 29 (3) (a) of the principal Act has not been given and received;
 - (b) a patient who is liable to be detained by virtue of section 30(2) or (4), 64(1), 135 or 136 of that Act or by virtue of section 29 above ; and
 - (c) a patient who has been conditionally discharged under section 66(2) of that Act or paragraph 5 or 6 of Schedule 1 to this Act and has not been recalled to hospital.
- (2) In this Part of this Act " the responsible medical officer " means the medical practitioner in charge of the treatment of the patient in question and " hospital " includes a mental nursing home.
- (3) Any certificate for the purposes of this Part of this Act shall be in such form as may be prescribed by regulations made by the Secretary of State.