
Changes to legislation: There are currently no known outstanding effects for the Mental Health Act 2007, Paragraph 20. (See end of Document for details)

SCHEDULES

SCHEDULE 3

SUPERVISED COMMUNITY TREATMENT: FURTHER AMENDMENTS TO 1983 ACT

Applications and references to Mental Health Review Tribunal

- 20 In section 69 (applications to tribunals concerning patients subject to hospital and guardianship orders)—
- (a) in subsection (1), for paragraph (a) substitute—
 - “(a) in respect of a patient liable to be detained in pursuance of a hospital order or a community patient who was so liable immediately before he became a community patient, by the nearest relative of the patient in any period in which an application may be made by the patient under any such provision as so applied;”,
 - (b) in subsection (2)(b), omit the words “45B(2), 46(3),” and
 - (c) after subsection (2) insert—
 - “(3) The provisions of section 66 above as applied by section 40(4) above are subject to subsection (4) below.
 - (4) If the initial detention period has not elapsed when the relevant application period begins, the right of a hospital order patient to make an application by virtue of paragraph (ca) or (cb) of section 66(1) above shall be exercisable only during whatever remains of the relevant application period after the initial detention period has elapsed.
 - (5) In subsection (4) above—
 - (a) “hospital order patient” means a patient who is subject to a hospital order, excluding a patient of a kind mentioned in paragraph (a) or (b) of subsection (2) above;
 - (b) “the initial detention period”, in relation to a hospital order patient, means the period of six months beginning with the date of the hospital order; and
 - (c) “the relevant application period” means the relevant period mentioned in paragraph (ca) or (cb), as the case may be, of section 66(2) above.”

Changes to legislation:

There are currently no known outstanding effects for the Mental Health Act 2007, Paragraph 20.