



# Mental Health Act 2007

## 2007 CHAPTER 12

### PART 1

#### AMENDMENTS TO MENTAL HEALTH ACT 1983

### CHAPTER 3

#### SAFEGUARDS FOR PATIENTS

##### *Patient's nearest relative*

## 26 Civil partners

- (1) Section 26 of the 1983 Act (definition of “relative” and “nearest relative”) is amended as set out in subsections (2) to (5).
- (2) In subsection (1)(a), after “wife” insert “or civil partner”.
- (3) In subsection (5)—
  - (a) in paragraph (b) after “wife” insert “or civil partner”, and
  - (b) in paragraph (c) after “wife,” insert “civil partner,”.
- (4) In subsection (6)—
  - (a) for “and “wife” include a person who is living with the patient as the patient’s husband or wife” substitute “, “wife” and “civil partner” include a person who is living with the patient as the patient’s husband or wife or as if they were civil partners”, and
  - (b) for “unless the husband or wife” substitute “or a patient in a civil partnership unless the husband, wife or civil partner”.
- (5) In subsection (7)(b), for “unless the husband or wife” substitute “or a patient in a civil partnership unless the husband, wife or civil partner”.

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*Status: This is the original version (as it was originally enacted).*

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- (6) In section 27 of the 1983 Act (children and young persons in care), after “wife” insert “or civil partner”.