



Criminal Procedure (Insanity) Act 1964

1964 CHAPTER 84

5 Orders for admission to hospital.

(1) Where—

- (a) a special verdict is returned, or
- (b) ^{F1}
- (c) a finding is recorded that the accused is under disability,
- (d) ^{F2}

the court shall make an order that the accused be admitted to such hospital as may be specified by the Secretary of State.

(2) ^{F3}

(3) The provisions in that behalf of Schedule 1 to this Act shall have effect in relation to orders for admission to hospital made under this section.

(4) Subject to the provisions of the said Schedule, if while a person is detained in pursuance of an order under paragraph (c) of subsection (1) of this section the Secretary of State, after consultation with the responsible medical officer, is satisfied that the said person can properly be tried, the Secretary of State may remit that person to prison, or to a remand centre provided under section 43 of the ^{M1}Prison Act 1952, for trial . . . ^{F4}; and on his arrival at the prison or remand centre the order under subsection (1)(c) shall cease to have effect.

In relation to persons ordered under section 2 of the ^{M2}Criminal Lunatics Act 1800 to be kept in custody this subsection and paragraph 2(2) of Schedule 1 to this Act shall apply as if the order were an order under subsection (1)(c) of this section.

(5) ^{F3}

Textual Amendments

- F1** S. 5(1)(b) repealed by [Criminal Appeal Act 1968 \(c. 19\)](#), [Sch. 7](#)
- F2** S. 5(1)(d) repealed by [Criminal Appeal Act 1968 \(c. 19\)](#), [Sch. 7](#)
- F3** S. 5(2)(5) repealed by [Criminal Appeal Act 1968 \(c. 19\)](#), [Sch. 7](#)

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Criminal Procedure (Insanity) Act 1964, Section 5. (See end of Document for details)

F4 Words repealed by [Courts Act 1971 \(c. 23\)](#), [Sch. 11 Pt. IV](#)

Marginal Citations

M1 [1952 c. 52](#).

M2 [1800 c. 94](#).

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