



Immigration Act 1971

1971 CHAPTER 77

PART IV

SUPPLEMENTARY

30 Return of mental patients

- (1) In the following enactments (which provide in relation to England, Wales and Northern Ireland and in relation to Scotland, respectively, for aliens receiving treatment for mental illness as in-patients to be removed, where proper arrangements have been made, to a country or territory outside the United Kingdom and Islands), that is to say,—
 - (a) section 90 of the Mental Health Act 1959 ; and
 - (b) section 82 of the Mental Health (Scotland) Act 1960;there shall in each case be substituted for the words " any patient being an alien " the words "any patient who is not patrial within the meaning of the Immigration Act 1971 and ".
- (2) Under section 90 of the Mental Health Act 1959 (as under section 82 of the Mental Health (Scotland) Act 1960) the Secretary of State shall only authorise the removal of a patient if it appears to him to be in the interests of the patient; and accordingly in section 90 after the words " and for his care or treatment there " there shall be inserted the words " and that it is in the interests of the patient to remove him ".