

Changes to legislation: Mental Health Act 1983, SCHEDULE 4 is up to date with all changes known to be in force on or before 06 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 4

Section 148.

CONSEQUENTIAL AMENDMENTS

1

F1

Textual Amendments

F1 Sch. 4 para. 1 repealed (1.10.2007) by Mental Capacity Act 2005 (c. 9), ss. 67(2), 68(1)-(3), Sch. 7 (with ss. 27, 28, 29, 62); S.I. 2007/1897, art. 2(d)

2

F2

Textual Amendments

F2 Sch. 4 para. 2 repealed (1.10.2007) by Mental Capacity Act 2005 (c. 9), ss. 67(2), 68(1)-(3), Sch. 7 (with ss. 27, 28, 29, 62); S.I. 2007/1897, art. 2

3

In section 10(3) of the ^{M1}Colonial Prisoners Removal Act 1884 for the words “section seventy-one of the Mental Health Act 1959”, “section seventy-two” and “section seventy-four” there shall be substituted respectively the words “ section 46 of the Mental Health Act 1983 ”, “ section 47 ”and “ section 49 ”.

Marginal Citations

M1 1884 c. 31.

4

F3

Textual Amendments

F3 Sch. 4 para. 4 repealed (1.10.2007) by Mental Capacity Act 2005 (c. 9), ss. 67(2), 68(1)-(3), Sch. 7 (with ss. 27, 28, 29, 62); S.I. 2007/1897, art. 2

5

F4

Textual Amendments

F4 Sch. 4 para. 5 repealed (1.10.2007) by Mental Capacity Act 2005 (c. 9), ss. 67(2), 68(1)-(3), Sch. 7 (with ss. 27, 28, 29, 62); S.I. 2007/1897, art. 2

6

F5

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Textual Amendments

- F5** Sch. 4 para. 6 repealed (13.10.2003) by 2002 c. 9, ss. 135, 136(2), Sch. 13 (with s. 129, Sch. 12 para. 1), S.I. 2003/1725, art. 2(1)

7

F6

Textual Amendments

- F6** Sch. 4 para. 7 repealed (1.10.2007) by Mental Capacity Act 2005 (c. 9), ss. 67(2), 68(1)-(3), Sch. 7 (with ss. 27, 28, 29, 62); S.I. 2007/1897, art. 2

8

In sections 4(1) and 11(3)(b) of the ^{M2}Polish Resettlement Act 1947 for the words “the Mental Health Act 1959” there shall be substituted the words “ the Mental Health Act 1983 ”.

Marginal Citations

- M2** 1947 c. 19.

9

F7

Textual Amendments

- F7** Sch. 4 para. 9 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), Sch. 1 Pt. 11

10

In section 116(7) of the ^{M3}Army Act 1955 for the words “section 71 of the Mental Health Act 1959” and “within the meaning of the Mental Health Act 1959” there shall be substituted respectively the words “ section 46 of the Mental Health Act 1983 ”and “ within the meaning of the Mental Health Act 1983 ”.

Marginal Citations

- M3** 1955 c. 18.

11

In section 116(7) of the ^{M4}Air Force Act 1955 for the words “section 71 of the Mental Health Act 1959” and “within the meaning of the Mental Health Act 1959” there shall be substituted respectively the words “ section 46 of the Mental Health Act 1983 ” and “ within the meaning of the Mental Health Act 1983 ”.

Marginal Citations

- M4** 1955 c. 19.

F812

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Textual Amendments

F8 Sch. 4 para. 12 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

- 13 In section 71(6) of the ^{M5}Naval Discipline Act 1957 for the words “section 71 of the Mental Health Act 1959” and “within the meaning of the Mental Health Act 1959” there shall be substituted respectively the words “section 46 of the Mental Health Act 1983” and “within the meaning of the Mental Health Act 1983”.

Marginal Citations

M5 1957 c. 53.

- 14 ^{F9}

Textual Amendments

F9 Sch. 4 para. 14 repealed (1.10.2007) by Mental Capacity Act 2005 (c. 9), ss. 67(2), 68(1)–(3), Sch. 7 (with ss. 27, 28, 29, 62); S.I. 2007/1897, art. 2

- 15 ^{F10}

Textual Amendments

F10 Sch. 4 para. 15 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), ss. 140, 141, Sch. 7; S.I. 2004/874, art. 2

- 16 ^{F11}

Textual Amendments

F11 Sch. 4 para. 16 repealed by Mental Health (Scotland) Act 1984 (c. 36, SIF 85), s. 127(2), Sch. 5

- 17 In section 5 of the ^{M6}Administration of Justice Act 1960—
- (a) in subsection (4) for the words “Part V of the Mental Health Act 1959” and the words “the said Part V” there shall be substituted respectively the words “Part III of the Mental Health Act 1983 (other than under section 35, 36 or 38)” and “the said Part III”; and
 - (b) in subsection (4A) for the words “section 31 of the Mental Health (Amendment) Act 1982”, “Part V of the said Act of 1959” and “the said section 31” there shall be substituted respectively “section 38 of the Mental Health Act 1983”, “Part III of the said Act of 1983” and “the said section 38”.

Marginal Citations

M6 1960 c. 65.

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- 18 In the ^{M7}Criminal Procedure (Insanity) Act 1964—
- (a) in section 8(2) for the words “the Mental Health Act 1959”, “Part V” and “sections 139 to 141” there shall be substituted respectively the words “ the Mental Health Act 1983 ”, “ Part III ” and “ sections 137 to 139 ”;
- ^{F12}(b)

Textual Amendments

F12 Sch. 4 para. 18(b) repealed (1.1.1992) by Criminal Procedure (Insanity and Unfitness to Plead) Act 1991 (c. 25, SIF 39:1), s. 8(3), Sch.4 (with saving in s. 8); S.I. 1991/2488, art. 2

Marginal Citations

M7 1964 c. 84.

- 19 ^{F13}

Textual Amendments

F13 Sch. 4 para. 19 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 17 Group 8}

- 20 ^{F14}

Textual Amendments

F14 Sch. 4 para. 20 repealed (1.10.2007) by Mental Capacity Act 2005 (c. 9), ss. 67(2), 68(1)-(3), Sch. 7 (with ss. 27, 28, 29, 62); S.I. 2007/1897, art. 2

- 21 In the ^{M8}Criminal Justice Act 1967—
- (a) in section 72(1)(b) for the words “section 40 or 140 of the Mental Health Act 1959 or section 31(8) of the Mental Health (Amendment) Act 1982” there shall be substituted the words “ section 18, 38(7) or 138 of the Mental Health Act 1983 ”;
- (b) in section 72(3) for the words “Section 139 of the Mental Health Act 1959” and “the said Act of 1959” there shall be substituted respectively the words “ Section 137 of the Mental Health Act 1983 ” and “ the said Act of 1983 ”;
- (c) in section 72(4) for the words “Part V of the Mental Health Act 1959”, “section 31 of the Mental Health (Amendment) Act 1982” and “Part V of the said Act of 1959” there shall be substituted respectively the words “ Part III of the Mental Health Act 1983 ”, “ section 38 of the said Act of 1983 ” and “ Part III of the said Act of 1983 ”.

Marginal Citations

M8 1967 c. 80.

- 22 ^{F15}

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Textual Amendments

F15 Sch. 4 para. 22 repealed (1.10.2007) by Mental Capacity Act 2005 (c. 9), ss. 67(2), 68(1)–(3), Sch. 7 (with ss. 27, 28, 29, 62); S.I. 2007/1897, art. 2

- 23 In the ^{M9}Criminal Appeal Act 1968—
- ^{F16}(a)
- (b) in section 8(3) after the words “Part V of the Mental Health Act 1959” there shall be inserted the words “ or under Part III of the Mental Health Act 1983 (other than under section 35, 36 or 38 of that Act) ”;
- (c) in section 8(3A)—
- (i) for the words “section 30 of the Mental Health (Amendment) Act 1982” there shall be substituted the words “ section 36 of the Mental Health Act 1983 ”;
- (ii) for the words “section 31 of that Act” there shall be substituted the words “ section 38 of that Act ”; and
- (iii) for the words “Part V of the Mental Health Act 1959” there shall be substituted the words “ Part III of that Act ”;
- (d) in section 11—
- (i) in subsection (5) for the words “the Mental Health (Amendment) Act 1982” there shall be substituted the words “ the Mental Health Act 1983 ”; and
- (ii) ^{F17}
- ^{F16}(e)
- ^{F16}(f)
- (g) in section 37(4) for the words “Part V of the Mental Health Act 1959” and “the Mental Health Act 1959” there shall be substituted respectively the words “ Part III of the Mental Health Act 1983 (otherwise than under section 35, 36 or 38 of that Act) ” and “ the Mental Health Act 1983 ”;
- (h) in section 37(4A) for the words “section 30 of the Mental Health (Amendment) Act 1982”, “section 31” and “Part V of the said Act of 1959” wherever they occur there shall be substituted respectively the words “ section 36 of the Mental Health Act 1983 ”, “ section 38 ” and “ Part III of the said Act of 1983 ”;
- (i) in section 50(1), for the words from “Part V” to “1982” there shall be substituted the words “ Part III of the Mental Health Act 1983, with or without a restriction order, and an interim hospital order under that Part ”;
- (j) in section 51(2) for the words “section 147(1) of the Mental Health Act 1959” there shall be substituted the words “ section 145(1) of the Mental Health Act 1983 ”;
- ^{F16}(k)
- ^{F16}(l)
- ^{F16}(m)
- (n) in Schedule 3—
- (i) in the heading to the Schedule for the words “PART V OF MENTAL HEALTH ACT 1959” there shall be substituted the words “ PART III OF MENTAL HEALTH ACT 1983 ”; and

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(ii) for paragraph 2 there shall be substituted—

“ Order for continued detention under Act of 1983

- 2 Where an order is made by the Court of Appeal under section 16(3) of this Act for a person’s continued detention under the Mental Health Act 1983, Part III of that Act (patients concerned in criminal proceedings or under sentence) shall apply to him as if he had been ordered under the said section 16(3) to be kept in custody pending trial and were detained in pursuance of a transfer direction together with a restriction direction.”

Textual Amendments

- F16** Sch. 4 para. 23 (a)(e)(f)(k)-(m) repealed (1.1.1992) by [Criminal Procedure \(Insanity and Unfitness to Plead\) Act 1991 \(c. 25, SIF 39:1\)](#), s. 8(3), [Sch. 4](#) (with saving in s. 8); S.I. 1991/2488, [art. 2](#)
- F17** Sch. 4 para. 23(d)(ii) repealed (14.7.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 149, 153, [Sch. 28 Pt. 3](#); S.I. 2008/1586, [art. 2\(1\)](#), Sch. 1 para. 50(3)(d)

Marginal Citations

- M9** 1968 c. 19.

- 24 In the ^{M10}Courts-Martial (Appeals) Act 1968—
- (a) in sections 20(4) and 43(4) for the words “Part V of the Mental Health Act 1959” there shall be substituted the words “ Part III of the Mental Health Act 1983 ”;
 - (b) in section 23, in subsection (1) for the words “section 71 of the Mental Health Act 1959” there shall be substituted the words “ section 46 of the Mental Health Act 1983 ” and in subsection (2) for the words “the Mental Health Act 1959” there shall be substituted the words “ the Mental Health Act 1983 ”;
 - (c) in section 25(4) for the words “the Mental Health Act 1959” there shall be substituted the words “ the Mental Health Act 1983 ”.

Marginal Citations

- M10** 1968 c. 20.

- 25 ^{F18}

Textual Amendments

- F18** Sch. 4 para. 25 repealed (1.10.2007) by [Mental Capacity Act 2005 \(c. 9\)](#), ss. 67(2), 68(1)-(3), [Sch. 7](#) (with ss. 27, 28, 29, 62); S.I. 2007/1897, [art. 2](#)

- 26 In the ^{M11}Children and Young Persons Act 1969— ^{F19}

- (a)
- ^{F19}(b)
- ^{F19}(c)

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- (d) in section 12(4) for the words “section 28 of the Mental Health Act 1959”, “Part V” and “the said Act of 1959” there shall be substituted respectively the words “ section 12 of the Mental Health Act 1983 ”, “ Part III ” and “ the said Act of 1983 ”;
- (e) in paragraph 7(7) of Schedule 4 for the words from the beginning to “1959” there shall be substituted the words “ A restriction direction which was given under section 49 of the Mental Health Act 1983 ”.

Textual Amendments

F19 Sch. 4 para. 26(a)–(c) repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), Sch.15 (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

Marginal Citations

M11 1969 c. 54.

- 27 In Schedule 1 to the ^{M12}Local Authorities Social Services Act 1970—
- (a) in the entry relating to the Mental Health Act 1959, in the first column for the words “Parts II to VI and IX” there shall be substituted the words “ sections 8 and 9 ” and for the entry in the second column there shall be substituted the words “ Welfare and accommodation of mentally disordered persons. ”;
 - (b) there shall be inserted at the end—

“Mental Health Act 1983 (c. 20)

Parts II, III and VI	Welfare of the mentally disordered; guardianship of persons suffering from mental disorder including such persons removed to England and Wales from Scotland or Northern Ireland; exercise of functions of nearest relative of person so suffering.
Sections 66, 67, 69(1)	Exercise of functions of nearest relative in relation to applications and references to Mental Health Review Tribunals.
Section 114	Appointment of approved social workers.
Section 115	Entry and inspection.
Section 116	Welfare of certain hospital patients.
Section 117	After-care of detained patients.
Section 130	Prosecutions.”;

- (c) the entry relating to the ^{M13}Mental Health (Amendment) Act 1982 shall cease to have effect.

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Marginal Citations

M12 1970 c. 42.
M13 1982 c. 51.

28 In section 57(1) of the ^{M14}Courts Act 1971 for the words “Part V of the Mental Health Act 1959” there shall be substituted the words “ Part III of the Mental Health Act 1983 ”.

Marginal Citations

M14 1971 c. 23.

^{F20}29

Textual Amendments

F20 Sch. 4 para. 29 repealed (1.10.1992) by Tribunals and Inquiries Act 1992 (c. 53), ss. 18(2), 19(2), Sch. 4 Pt.I.

30 ^{F21}

Textual Amendments

F21 Sch. 4 para. 30 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 17 Group 8}

31 ^{F22}

Textual Amendments

F22 Sch. 4 para. 31 repealed by Parliamentary and other Pensions Act 1987 (c. 45, SIF 89), s. 6, Sch. 4

32 ^{F23}

Textual Amendments

F23 Sch. 4 para. 32 repealed (1.10.2007) by Mental Capacity Act 2005 (c. 9), ss. 67(2), 68(1)-(3), Sch. 7 (with ss. 27, 28, 29, 62); S.I. 2007/1897, art. 2

33 ^{F24}

Textual Amendments

F24 Sch. 4 para. 33 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 17 Group 8}

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- 34 In section 12(d) of the ^{M15}Matrimonial Causes Act 1973 for the words “the Mental Health Act 1959” there shall be substituted the words “ the Mental Health Act 1983 ”.

Marginal Citations

M15 1973 c. 18.

^{F25}35

Textual Amendments

F25 Sch. 4 para. 35 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), **Sch.15** (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

36 ^{F26}

Textual Amendments

F26 Sch. 4 para. 36 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **s. 1(1)**, {Sch. 1 Pt. 17 Group 8}

37 ^{F27}

Textual Amendments

F27 Sch. 4 para. 37 repealed (5.4.2004) by Criminal Justice Act 2003 (c. 44), **ss. 332, 336; Sch. 37 Pt. 10;** S.I. 2004/829, **art. 2(2)(I)(iv)** (subject to art. 2(3)-(6))

38 ^{F28}

Textual Amendments

F28 Sch. 4 para. 38 repealed (1.10.2007) by Mental Capacity Act 2005 (c. 9), **ss. 67(2), 68(1)-(3), Sch. 7** (with **ss. 27, 28, 29, 62**); S.I. 2007/1897, **art. 2**

^{F29}39

Textual Amendments

F29 Sch. 4 para. 39 repealed (10.3.2014) by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 25 Pt. 2** (with s. 141(1)-(6)); S.I. 2014/423, art. 2(c) (with art. 3)

40 ^{F30}

Textual Amendments

F30 Sch. 4 para. 40 repealed by Capital Transfer Tax Act 1984 (c. 51, SIF 65), **ss. 274, 277, Schs. 7, 9**

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- 41
- In the ^{M16}Criminal Procedure (Scotland) Act 1975—
- (a)

in sections 13(1)(b) and 322(1)(b) for the words “section 40 or 140 of the Mental Health Act 1959, section 31(8) of the Mental Health (Amendment) Act 1982” there shall be substituted the words “ section 18, 38(7) or 138 of the Mental Health Act 1983 ”;
- (b)

in sections 13(3) and 322(3) for the words “Section 139 of the Mental Health Act 1959” and “the said Act of 1959” there shall be substituted respectively “ Section 137 of the Mental Health Act 1983 ” and “ the said Act of 1983 ”;
- (c)

in sections 13(4) and 322(4) for the words “Part V of the Mental Health Act 1959”, “section 31 of the Mental Health (Amendment) Act 1982” and “Part V of the said Act of 1959” there shall be substituted respectively the words “ Part III of the Mental Health Act 1983 ”, “ section 38 of the said Act of 1983 ” and “ Part III of the said Act of 1983 ”.

Marginal Citations
M16 1975 c. 21.

- 42
- In Part II of Schedule 1 to the ^{M17}House of Commons Disqualification Act 1975 in the entry relating to Mental Health Review Tribunals for the words “constituted under the Mental Health Act 1959” there shall be substituted the words “constituted or having effect as if constituted under the Mental Health Act 1983 ”.

Marginal Citations
M17 1975 c. 24.

- 43
- ^{F31}

Textual Amendments
F31 Sch. 4 para. 43 repealed by Registered Homes Act 1984 (c. 23, SIF 113:3), s. 57, **Sch. 3**

- ^{F32}44
-

Textual Amendments
F32 Sch. 4 para. 44 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), **Sch. 15** (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

- 45
- ^{F33}

Textual Amendments
F33 Sch. 4 para. 45 repealed (30.12.2005) by 2002 c. 38, ss. 139, 148, **Sch. 5** (with Sch. 4 paras. 6-8); S.I. 2005/2897, **art. 2**

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- 46 In section 3(6B) of the ^{M18}Bail Act 1976 for the words “section 28 of the Mental Health Act 1959” there shall be substituted the words “ section 12 of the Mental Health Act 1983 ”.

Marginal Citations

M18 1976 c. 63.

- 47 ^{F34}

Textual Amendments

F34 Sch 4 para. 47 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), ss. 6, 8(2), **Sch. 4** (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

- 48 In section 16A(1)(b)(ii) of the ^{M19}National Health Service (Scotland) Act 1978 for the words “section 10 of the Mental Health Act 1959” there shall be substituted the words “ section 116 of the Mental Health Act 1983 ”.

Marginal Citations

M19 1978 c. 29.

- ^{F35}49

Textual Amendments

F35 Sch. 4 para. 49 repealed (6.3.1992 with effect as mentioned in s. 289(1)(2) of the repealing Act) by Taxation of Chargeable Gains Act 1992 (c. 12), ss. 289, 290, **Sch.12** (with s. 201(3), Sch. 11 paras. 20, 22, 26(2), 27)

- ^{F36}50

Textual Amendments

F36 Sch. 4 para. 50 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), **Sch.15** (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

- ^{F37}51

Textual Amendments

F37 Sch. 4 para. 51 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(7), **Sch.15** (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

- 52 ^{F38}

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Textual Amendments

F38 [Sch. 4 para. 52](#) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [s. 1\(1\)](#), {Sch. 1 Pt. 17 Group 8}

53 **F39**

Textual Amendments

F39 [Sch. 4 para. 53](#) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [s. 1\(1\)](#), {Sch. 1 Pt. 17 Group 8}

54 **F40**

Textual Amendments

F40 [Sch. 4 para. 54](#) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [s. 1\(1\)](#), {Sch. 1 Pt. 17 Group 8}

55 **F41**

Textual Amendments

F41 [Sch. 4 para. 55](#) repealed (1.10.2007) by [Mental Capacity Act 2005 \(c. 9\)](#), ss. 67(2), 68(1)–(3), [Sch. 7](#) (with ss. 27, 28, 29, 62); [S.I. 2007/1897](#), [art. 2](#)

56 **F42**

Textual Amendments

F42 [Sch. 4 para. 56](#) repealed (1.10.2007) by [Mental Capacity Act 2005 \(c. 9\)](#), ss. 67(2), 68(1)–(3), [Sch. 7](#) (with ss. 27, 28, 29, 62); [S.I. 2007.1897](#), {art. 2}

57 In the ^{M20}Contempt of Court Act 1981—

- (a) in section 14(4) for the words “section 60 of the Mental Health Act 1959” and “section 31 of the Mental Health (Amendment) Act 1982” there shall be substituted respectively the words “section 37 of the Mental Health Act 1983 ” and “section 38 of that Act ”; and
- (b) in section 14(4A) for the words “section 29 of the said Act of 1982” there shall be substituted the words “section 35 of the said Act of 1983 ”.
- (c) in paragraph 10(b) of Schedule 1 for the words “paragraph (b) of subsection (2) of section 76 of the Mental Health Act 1959” there shall be substituted the words “section 51(5) of the Mental Health Act 1983 ”.

Marginal Citations

M20 [1981 c. 49](#).

58 In the ^{M21}[^{F43}Senior Courts] Act 1981—

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- (a) in section 48(6)(a) for the words “Part V of the Mental Health Act 1959” and “the Mental Health (Amendment) Act 1982” there shall be substituted respectively the words “Part III of the Mental Health Act 1983”; and “that Act”;
- (b) in section 48(7) for the words “the said Act of 1982” there shall be substituted the words “the said Act of 1983”; and
- (c) in section 48(8)(b) for the words “section 31(8) of the said Act of 1982” there shall be substituted the words “section 38(7) of the said Act of 1983”.

Textual Amendments

F43 Words in [Sch. 4 para. 58](#) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 59, 148, [Sch. 11 para. 4](#); [S.I. 2009/1604](#), [art. 2\(d\)](#)

Marginal Citations

M21 [1981 c. 54](#).

- 59 In section 13(9) of the ^{M22}Armed Forces Act 1981 or the words “the Mental Health Act 1959” there shall be substituted the words “the Mental Health Act 1983”.

Marginal Citations

M22 [1981 c. 55](#).

- 60 In paragraph 9 of Schedule 1 to the ^{M23}British Nationality Act 1981—
- (a) in sub-paragraph (1)(b) for the words “Part V of the Mental Health Act 1959” there shall be substituted the words “Part III of the Mental Health Act 1983”; and
 - (b) in sub-paragraph (2)(b) for the words “Part V of the Mental Health Act 1959” there shall be substituted the words “Part III of the Mental Health Act 1983”.

Marginal Citations

M23 [1981 c. 61](#).

- 61 In the ^{M24}Mental Health (Amendment) Act 1982—
- (a) ^{F44}
 - (b) in section 70(3) for the words “Section 154(2) of the principal Act” there shall be substituted the words “Section 149(4) of the Mental Health Act 1983”.

Textual Amendments

F44 [Sch. para. 61\(a\)](#) repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), s. 1(1), [Sch. 1 Pt. XIII](#)

Marginal Citations

M24 [1982 c. 51](#).

Changes to legislation:

Mental Health Act 1983, SCHEDULE 4 is up to date with all changes known to be in force on or before 06 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Sch. 4 para. 38(a) repealed by [2007 c. 29 Sch. 23](#) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 38 already repealed (1.10.2007) by Mental Capacity Act 2005 (c. 9), ss. 67(2), 68(1)-(3), Sch. 7 (with ss. 27, 28, 29, 62); S.I. 2007/1897, art. 2)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied by [1996 c. 46 Sch. 2 para. 9](#) (replacing 1968 c 20 s. 23) (Act applied (prosp.) by 1968 c. 20, s. 23(4) (as substituted (prosp.) by 1996 c. 46, ss. 8, 36(2), Sch. 2, para. 9 which said amending provision was repealed (31.3.2005) by Domestic Violence, Crime and Victims Act 2004 (c. 28), ss. 58(2), 60, Sch. 11; S.I. 2005/579, art. 3(h)(i)(ix)))
- Act applied by [1996 c. 46 Sch. 2 para. 4](#) (replacing 1957 c 53 s. 63) (Act applied (prosp.) by 1957 c. 53, s. 63C(6) (as substituted (prosp.) by 1996 c. 46, ss. 8, 36(2), Sch. 2, para. 4 which said amending provision was repealed (31.3.2005) by Domestic Violence, Crime and Victims Act 2004 (c. 28), ss. 58(2), 60, Sch. 11; S.I. 2005/579, art. 3(h)(i)(ix)))
- Act applied by [1996 c. 46 Sch. 2 para. 1](#) (replacing 1955 c 19 s. 116) (Act applied (prosp.) by 1955 c. 19, s. 116C(6) (as substituted (prosp.) by 1996 c. 46, ss. 8, 36(2), Sch. 2 para. 1 which said amending provision was repealed (31.3.2005) by Domestic Violence, Crime and Victims Act 2004 (c. 28), ss. 58(2), 60, Sch. 11; S.I. 2005/579, art. 3(h)(i)(ix)))
- Act applied by [1996 c. 46 Sch. 2 para. 1](#) (replacing 1955 c 18 s 116) (Act applied (prosp.) by 1955 c. 18, s. 116C(6) (as substituted (prosp.) by 1996 c. 46, ss. 8, 36(2), Sch. 2 para. 1 which said amending provision was repealed (31.3.2005) by Domestic Violence, Crime and Victims Act 2004 (c. 28), ss. 58(2), 60, Sch. 11; S.I. 2005/579, art. 3(h)(i)(ix)))
- Act power to applied by [1996 c. 46 Sch. 2 para. 4](#) (replacing 1957 c 53 s. 63) (Act: Power to apply conferred (prosp.) by 1957 c. 53, s. 63B(4)(c) (as substituted (prosp.) by 1996 c. 46, ss. 8, 36(2), Sch. 2, para. 4 which said amending provision was repealed (31.3.2005) by Domestic Violence, Crime and Victims Act 2004 (c. 28), ss. 58(2), 60, Sch. 11; S.I. 2005/579, art. 3(h)(i)(ix)))
- Act power to applied by [1996 c. 46 Sch. 2 para. 1](#) (replacing 1955 c 19 s. 116) (Act: Power to apply conferred (prosp.) by 1955 c. 19, s. 116B(4)(c) (as substituted (prosp.) by 1996 c. 46, ss. 8, 36(2), Sch. 2, para. 1 which said amending provision was repealed (31.3.2005) by Domestic Violence, Crime and Victims Act 2004 (c. 28), ss. 58(2), 60, Sch. 11; S.I. 2005/579, art. 3(h)(i)(ix)))
- Act power to applied by [1996 c. 46 Sch. 2 para. 1](#) (replacing 1955 c 18 s 116) (Act: Power to apply conferred (prosp.) by 1955 c. 18, s. 116B(4)(c) (as substituted (prosp.) by 1996 c. 46, ss. 8, 36(2), Sch. 2 para. 1 which said amending provision was repealed (31.3.2005) by Domestic Violence, Crime and Victims Act 2004 (c. 28), ss. 58(2), 60, Sch. 11; S.I. 2005/579, art. 3(h)(i)(ix)))

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 74(8) inserted by [2015 c. 2 Sch. 3 para. 3\(3\)](#)