



# Mental Health Act 1983

## 1983 CHAPTER 20

### PART II

#### COMPULSORY ADMISSION TO HOSPITAL AND GUARDIANSHIP

*[<sup>F1</sup> After-care under supervision]*

VALID FROM 01/04/1996

#### **[<sup>F1</sup>25C Supervision applications: supplementary.**

- (1) Subject to subsection (2) below, a supervision application, and the recommendation under section 25B(6)(a) above accompanying it, may describe the patient as suffering from more than one of the following forms of mental disorder, namely, mental illness, severe mental impairment, psychopathic disorder and mental impairment.
- (2) A supervision application shall be of no effect unless the patient is described in the application and the recommendation under section 25B(6)(a) above accompanying it as suffering from the same form of mental disorder, whether or not he is also described in the application or the recommendation as suffering from another form.
- (3) A registered medical practitioner may at any reasonable time visit a patient and examine him in private for the purpose of deciding whether to make a recommendation under section 25B(6)(a) above.
- (4) An approved social worker may at any reasonable time visit and interview a patient for the purpose of deciding whether to make a recommendation under section 25B(6)(b) above.
- (5) For the purpose of deciding whether to make a recommendation under section 25B(6) above in respect of a patient, a registered medical practitioner or an approved social worker may require the production of and inspect any records

*Status: Point in time view as at 04/11/1994. This version of this provision is not valid for this point in time.*

*Changes to legislation: Mental Health Act 1983, Section 25C is up to date with all changes known to be in force on or before 17 March 2024. 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)*

relating to the detention or treatment of the patient in any hospital or to any after-care services provided for the patient under section 117 below.

- (6) If, within the period of 14 days beginning with the day on which a supervision application has been accepted, the application, or any recommendation accompanying it, is found to be in any respect incorrect or defective, the application or recommendation may, within that period and with the consent of the Health Authority which accepted the application, be amended by the person by whom it was made or given.
- (7) Where an application or recommendation is amended in accordance with subsection (6) above it shall have effect, and shall be deemed to have had effect, as if it had been originally made or given as so amended.
- (8) A supervision application which appears to be duly made and to be accompanied by recommendations under section 25B(6) above may be acted upon without further proof of—
- (a) the signature or qualification of the person by whom the application or any such recommendation was made or given; or
  - (b) any matter of fact or opinion stated in the application or recommendation.
- (9) A recommendation under section 25B(6) above accompanying a supervision application in respect of a patient shall not be given by—
- (a) the responsible medical officer;
  - (b) a person who receives or has an interest in the receipt of any payments made on account of the maintenance of the patient; or
  - (c) a close relative of the patient, of any person mentioned in paragraph (a) or (b) above or of a person by whom the other recommendation is given under section 25B(6) above for the purposes of the application.
- (10) In subsection (9)(c) above “close relative” means husband, wife, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister or sister-in-law.]

#### **Textual Amendments**

**F1** Ss. 25A-25J inserted (1.4.1996) by 1995 c. 52, ss. 1(1), 7(2)

#### **Modifications etc. (not altering text)**

**C1** S. 25C applied (with modifications) (1.4.1996) by S.I. 1996/295, reg. 2, Sch.

**C2** S. 25C(6): functions of local authority may be responsibility of an executive of the authority (1.4.2000) by virtue of S.I. 2000/695, reg. 3(2)(b), Sch. 2

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