



Mental Health Act 1983

1983 CHAPTER 20

PART III

PATIENTS CONCERNED IN CRIMINAL PROCEEDINGS OR UNDER SENTENCE

Transfer to hospital of prisoners, etc.

53 Further provisions as to civil prisoners and persons detained under [^{F1}the Immigration Acts].

- (1) Subject to subsection (2) below, a transfer direction given in respect of any such person as is described in paragraph (c) or (d) of section 48(2) above shall cease to have effect on the expiration of the period during which he would, but for his removal to hospital, be liable to be detained in the place from which he was removed.
- (2) Where a transfer direction and a restriction direction have been given in respect of any such person as is mentioned in subsection (1) above, then, if the Secretary of State is notified by the responsible medical officer, any other registered medical practitioner or a Mental Health Review Tribunal at any time before the expiration of the period there mentioned—
 - (a) that that person no longer requires treatment in hospital for mental disorder; or
 - (b) that no effective treatment for his disorder can be given in the hospital to which he has been removed,

the Secretary of State may by warrant direct that he be remitted to any place where he might have been detained if he had not been removed to hospital, and on his arrival at the place to which he is so remitted the transfer direction and the restriction direction shall cease to have effect.

Textual Amendments

- F1** [S. 53](#): words in heading substituted (10.2.2003) by virtue of [2002 c. 41, ss. 62\(10\)\(b\), 162](#) (with [s. 129](#)); [S.I. 2003/1, art. 2, Sch](#)

Status:

Point in time view as at 10/02/2003. This version of this provision has been superseded.

Changes to legislation:

Mental Health Act 1983, Section 53 is up to date with all changes known to be in force on or before 18 February 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.