



Mental Health Act 1983

1983 CHAPTER 20

PART IV

CONSENT TO TREATMENT

60 Withdrawal of consent.

(1) Where the consent of a patient to any treatment has been given for the purposes of section 57 [^{F1}, 58 or 58A] above, the patient may, subject to section 62 below, at any time before the completion of the treatment withdraw his consent, and those sections shall then apply as if the remainder of the treatment were a separate form of treatment.

[^{F2}(1A) Subsection (1B) below applies where—

- (a) the consent of a patient to any treatment has been given for the purposes of section 57, 58 or 58A above; but
- (b) before the completion of the treatment, the patient ceases to be capable of understanding its nature, purpose and likely effects.

(1B) The patient shall, subject to section 62 below, be treated as having withdrawn his consent, and those sections shall then apply as if the remainder of the treatment were a separate form of treatment.

(1C) Subsection (1D) below applies where—

- (a) a certificate has been given under section 58 or 58A above that a patient is not capable of understanding the nature, purpose and likely effects of the treatment to which the certificate applies; but
- (b) before the completion of the treatment, the patient becomes capable of understanding its nature, purpose and likely effects.

(1D) The certificate shall, subject to section 62 below, cease to apply to the treatment and those sections shall then apply as if the remainder of the treatment were a separate form of treatment.]

(2) Without prejudice to the application of [^{F3}subsections (1) to (1D)] above to any treatment given under the plan of treatment to which a patient has consented, a patient

Status: Point in time view as at 17/04/2024.

Changes to legislation: Mental Health Act 1983, Section 60 is up to date with all changes known to be in force on or before 20 May 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)

who has consented to such a plan may, subject to section 62 below, at any time withdraw his consent to further treatment, or to further treatment of any description, under the plan.

Textual Amendments

- F1** Words in s. 60 substituted (3.11.2008) by [Mental Health Act 2007 \(c. 12\)](#), **ss. 28(4)**, 56 (with [Sch. 10](#)); [S.I. 2008/1900](#), **art. 2(g)** (with [art. 3](#), [Sch.](#))
- F2** [S. 60\(1A\)-\(1D\)](#) inserted (3.11.2008) by [Mental Health Act 2007 \(c. 12\)](#), **ss. 29(2)**, 56 (with [Sch. 10](#)); [S.I. 2008/1900](#), **art. 2(g)** (with [art. 3](#), [Sch.](#))
- F3** Words in s. 60(2) substituted (3.11.2008) by [Mental Health Act 2007 \(c. 12\)](#), **ss. 29(3)**, 56 (with [Sch. 10](#)); [S.I. 2008/1900](#), **art. 2(g)** (with [art. 3](#), [Sch.](#))

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