



Mental Health Act 1983

1983 CHAPTER 20

[^{F1}PART 4A

TREATMENT OF COMMUNITY PATIENTS NOT RECALLED TO HOSPITAL

VALID FROM 03/11/2008

[^{F1}[^{F2}64J] **Factors to be considered in determining whether patient objects to treatment**

- (1) In assessing for the purposes of this Part whether he has reason to believe that a patient objects to treatment, a person shall consider all the circumstances so far as they are reasonably ascertainable, including the patient's behaviour, wishes, feelings, views, beliefs and values.
- (2) But circumstances from the past shall be considered only so far as it is still appropriate to consider them.]]

Textual Amendments

- F1** Pt. 4A (ss. 64A-64K) inserted (1.4.2008 for s. 64H for certain purposes, otherwise 3.11.2008 for ss. 64A-64K) by [Mental Health Act 2007 \(c. 12\)](#), **ss. 35(1)**, 56 (with [Sch. 10](#)); [S.I. 2008/745](#), arts. 2(d), 3(e); [S.I. 2008/1900](#), **art. 2(k)** (with art. 3, Sch.)
- F2** Pt. 4A (ss. 64A-64K) inserted (1.4.2008 for s. 64H for certain purposes, otherwise 3.11.2008 for ss. 64A-64K) by [Mental Health Act 2007 \(c. 12\)](#), **ss. 35(1)**, 56 (with [Sch. 10](#)); [S.I. 2008/745](#), {arts. 2(d), 3(e)}; [S.I. 2008/1900](#), **art. 2(k)** (with art. 3, Sch.)

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Point in time view as at 04/11/1994.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 64J is up to date with all changes known to be in force on or before 17 November 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.