

Status: Point in time view as at 03/11/2008.

Changes to legislation: There are currently no known outstanding effects for the Mental Health Act 2007, Cross Heading: General protection of detained patients. (See end of Document for details)

SCHEDULES

SCHEDULE 3

SUPERVISED COMMUNITY TREATMENT: FURTHER AMENDMENTS TO 1983 ACT

General protection of detained patients

- 26 (1) Section 120 (general protection of detained patients) is amended as follows.
- (2) In subsection (1)—
- (a) after “liable to be detained under this Act” insert “ or to community patients ”
 - (b) in paragraph (a) after “registered establishments” insert “ and community patients in hospitals and establishments of any description and (if access is granted) other places ”, and
 - (c) in paragraph (b)—
 - (i) in sub-paragraph (i), after “this Act in” insert “ , or recalled under section 17E above to, ”, and
 - (ii) in sub-paragraph (ii), after “detained” insert “ or is or has been a community patient ”.
- (3) In subsection (4)—
- (a) in paragraph (a), for “registered establishment” substitute “ hospital or establishment of any description ”, and
 - (b) in paragraph (b), for “in a registered establishment” substitute “ under this Act or who is or has been a community patient ”.
- (4) After subsection (7) insert—
- “(8) In this section, “establishment of any description” has the same meaning as in section 119 above.”
- 27 In section 121 (Mental Health Act Commission), in subsection (4), for the words from “not liable” to the end substitute “ neither liable to be detained under this Act nor community patients ”.

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