



Mental Health Act 1983

1983 CHAPTER 20

F1

An Act to consolidate the law relating to mentally disordered persons. [9th May 1983]

Be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Textual Amendments

- F1** For the words "Supreme Court Act 1981" there is substituted (1.10.2009) the words "Senior Courts Act 1981" by virtue of [Constitutional Reform Act 2005 \(c. 4\), ss. 59, 148\(1\), Sch. 11 para. 1\(2\)](#); S.I. 2009/1604, [art. 2\(d\)](#)

Modifications etc. (not altering text)

- C1** Act modified (31.3.2005) by [Army Act 1955 \(c. 18\), s. 116B\(3\)](#), (as substituted by [2004 c. 28, ss. 26, 60, Sch. 3 para. 1](#) (with [Sch. 12 para. 8](#))); S.I. 2005/579, [art. 3\(b\)](#)
Act modified (31.3.2005) by [Airforce Act 1955 \(c. 19\), s. 116B\(3\)](#), (as substituted by [2004 c. 28, ss. 26, 60, Sch. 3 para. 1](#) (with [Sch. 12 para. 8](#))); S.I. 2005/579, [art. 3\(b\)](#)
Act modified (31.3.2005) by [Naval Discipline Act 1957 \(c. 53\), s. 63B\(3\)](#), (as substituted by [2004 c. 28, ss. 26, 60, Sch. 3 para. 3](#) (with [Sch. 12 para. 8](#))); S.I. 2005/579, [art. 3\(b\)](#)
- C2** "Senior courts" is substituted (1.10.2009) for "Supreme Court" or "Supreme Court of Judicature" in each place by [Constitutional Reform Act 2005 \(c. 4\), ss. 59, 148, Sch. 11 para. 4](#); S.I. 2009/1604, [art. 2\(d\)](#)
- C3** Act applied in part (E.W.N.I.) (27.10.1960) by [1960 c. 65, s. 5A\(4\)](#) (as inserted (3.11.2008) by [Mental Health Act 2007 \(c. 12\), ss. 32, 56, Sch. 4 para. 1](#) (with [Sch. 10](#))); S.I. 2008/1900, {[art. 2\(i\)](#)} (with [art. 3, Sch.](#))
Act applied in part (E.W.) (1.9.1968) by [1968 c. 19, s. 37A\(5\)](#); S.I. 1968/325 (as inserted (3.11.2008) by [Mental Health Act 2007 \(c. 12\), ss. 32, 56, Sch. 4 para. 2\(3\)](#) (with [Sch. 10](#))); S.I. 2008/1900, [art. 2\(i\)](#) (with [art. 3, Sch.](#))
Act applied in part (1.9.1968) by [1968 c. 20, s. 43\(3A\)](#); S.I. 1968/325 (as inserted (3.11.2008) by [Mental Health Act 2007 \(c. 12\), ss. 32, 56, Sch. 4 para. 3\(3\)](#) (with [Sch. 10](#))); S.I. 2008/1900, [art. 2\(i\)](#) (with [art. 3, Sch.](#))

Changes to legislation: Mental Health Act 1983, Introductory Text is up to date with all changes known to be in force on or before 21 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. (See end of Document for details) View outstanding changes

- Act applied in part (1.9.1968) by 1968 c. 20, s. 43A(4); S.I. 1968/325 (as inserted (3.11.2008) by Mental Health Act 2007 (c. 12), ss. 32, 56, **Sch. 4 para. 3(4)** (with Sch. 10)); S.I. 2008/1900, **art. 2(i)** (with art. 3, Sch.)
- C4** Act excluded (S.) by Mental Health (Scotland) Act 1984 (c. 36, SIF 85), **ss. 17(2)**, 79(1)
- C5** Act modified by Repatriation of Prisoners Act 1984 (c. 47, SIF 39:1), s. 3, **Sch. para. 5(1)(a)**
- C6** Act modified (E.W.) (1.1.1992) by Criminal Procedure (Insanity and Unfitness to Plead) Act 1991 (c. 25, SIF 39:1), **s. 5(2)**, (with saving in s. 8); S.I. 1991/2488, **art. 2**
Act modified (E.W.) (1.1.1992) by Criminal Procedure (Insanity and Unfitness to Plead) Act 1991 (c. 25, SIF 39:1), s. 5(1), **Sch. 1 para. 2(1)** (with saving in s. 8); S.I. 1991/2488, **art. 2**
- C7** Act: definition of "mental hospital" applied (E.W.) (1.10.1992) by Powers of Criminal Courts Act 1973 (c. 62, SIF 39:1), s. 3(3), **Sch. 1A para. 5(10)** (as inserted (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF 39:1), ss. 8(3), 9(2), **Sch. 1 Pt. II**; S.I. 1992/333, art. 2(2), **Sch.2**).
- C8** By Criminal Justice Act 1991 (c. 53, SIF 39:1), s. 101(1), **Sch. 12 para.23**; S.I. 1991/2208, art. 2(1), **Sch.1** it is provided (14.10.1991) that in relation to any time before the commencement of s.70 of that 1991 Act (which came into force on 1.10.1992 by S.I. 1992/333, art. 2(2), **Sch. 2**) references in any enactment amended by that 1991 Act, to youth courts shall be construed as references to juvenile courts.
- C9** Act: functions (except under ss. 78, 106(5), Pt. VII, Sch. 2 paras. 1(b)(c)) transferred (W.) (1.7.1999) by S.I. 1999/672, art. 2, **Sch. 1**
Act (except ss. 25A, 25C-25H, 117, 140): functions not to be exercised by a primary care trust (1.4.2000) by virtue of S.I. 2000/695, art. 4(1), **Sch. 4**
- C10** Act applied (E.W.) (19.3.1997) by 1997 c. 17, **s. 1(4)**
Act applied (E.W.) (19.3.1997) by 1984 c. 60, **s. 63A(3A)** (as inserted by 1997 c. 17, **s. 3**)
- C11** Act: functions transferred (3.11.2008) by The First-tier Tribunal and Upper Tribunal (Chambers) Order 2008 (S.I. 2008/2684), **art. 5(h)**
- C12** Act modified (1.4.2009) by The Health and Social Care Act 2008 (Commencement No.9, Consequential Amendments and Transitory, Transitional and Saving Provisions) Order 2009 (S.I. 2009/462), **art. 10**, Sch. 4

Changes to legislation:

Mental Health Act 1983, Introductory Text is up to date with all changes known to be in force on or before 21 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.

View outstanding changes

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied by [1996 c. 46 Sch. 2 para. 9](#)(replacing [1968 c 20 s. 23](#)) (Act applied (prosp.) by [1968 c. 20, s. 23\(4\)](#) (as substituted (prosp.) by [1996 c. 46, ss. 8, 36\(2\), Sch. 2, para. 9](#) which said amending provision was repealed (31.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\), ss. 58\(2\), 60, Sch. 11; S.I. 2005/579, art. 3\(h\)\(i\)\(ix\)\)](#))
- Act applied by [1996 c. 46 Sch. 2 para. 4](#)(replacing [1957 c 53 s. 63](#)) (Act applied (prosp.) by [1957 c. 53, s. 63C\(6\)](#) (as substituted (prosp.) by [1996 c. 46, ss. 8, 36\(2\), Sch. 2, para. 4](#) which said amending provision was repealed (31.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\), ss. 58\(2\), 60, Sch. 11; S.I. 2005/579, art. 3\(h\)\(i\)\(ix\)\)](#))
- Act applied by [1996 c. 46 Sch. 2 para. 1](#)(replacing [1955 c 19 s. 116](#)) (Act applied (prosp.) by [1955 c. 19, s. 116C\(6\)](#) (as substituted (prosp.) by [1996 c. 46, ss. 8, 36\(2\), Sch. 2 para. 1](#) which said amending provision was repealed (31.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\), ss. 58\(2\), 60, Sch. 11; S.I. 2005/579, art. 3\(h\)\(i\)\(ix\)](#))
- Act applied by [1996 c. 46 Sch. 2 para. 1](#)(replacing [1955 c 18 s 116](#)) (Act applied (prosp.) by [1955 c. 18, s. 116C\(6\)](#) (as substituted (prosp.) by [1996 c. 46, ss. 8, 36\(2\), Sch. 2 para. 1](#) which said amending provision was repealed (31.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\), ss. 58\(2\), 60, Sch. 11; S.I. 2005/579, art. 3\(h\)\(i\)\(ix\)\)](#))
- Act power to applied by [1996 c. 46 Sch. 2 para. 4](#)(replacing [1957 c 53 s. 63](#)) (Act: Power to apply conferred (prosp.) by [1957 c. 53, s. 63B\(4\)\(c\)](#) (as substituted (prosp.) by [1996 c. 46, ss. 8, 36\(2\), Sch. 2, para. 4](#) which said amending provision was repealed (31.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\), ss. 58\(2\), 60, Sch. 11; S.I. 2005/579, art. 3\(h\)\(i\)\(ix\)\)](#))
- Act power to applied by [1996 c. 46 Sch. 2 para. 1](#)(replacing [1955 c 19 s. 116](#)) (Act: Power to apply conferred (prosp.) by [1955 c. 19, s. 116B\(4\)\(c\)](#) (as substituted (prosp.) by [1996 c. 46, ss. 8, 36\(2\), Sch. 2, para. 1](#) which said amending provision was repealed (31.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\), ss. 58\(2\), 60, Sch. 11; S.I. 2005/579, art. 3\(h\)\(i\)\(ix\)\)](#))
- Act power to applied by [1996 c. 46 Sch. 2 para. 1](#)(replacing [1955 c 18 s 116](#)) (Act: Power to apply conferred (prosp.) by [1955 c. 18, s. 116B\(4\)\(c\)](#) (as substituted (prosp.) by [1996 c. 46, ss. 8, 36\(2\), Sch. 2 para. 1](#) which said amending provision was repealed (31.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\), ss. 58\(2\), 60, Sch. 11; S.I. 2005/579, art. 3\(h\)\(i\)\(ix\)\)](#))

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- [s. 74\(8\)](#) inserted by [2015 c. 2 Sch. 3 para. 3\(3\)](#)