



# Mental Health Act 1983

## 1983 CHAPTER 20

### PART II

#### COMPULSORY ADMISSION TO HOSPITAL AND GUARDIANSHIP

##### *Procedure for hospital admission*

### 3 Admission for treatment.

- (1) A patient may be admitted to a hospital and detained there for the period allowed by the following provisions of this Act in pursuance of an application (in this Act referred to as “an application for admission for treatment”) made in accordance with this section.
- (2) An application for admission for treatment may be made in respect of a patient on the grounds that—
  - (a) he is suffering from [<sup>F1</sup>mental disorder] of a nature or degree which makes it appropriate for him to receive medical treatment in a hospital; and
  - (b) <sup>F2</sup> .....
  - (c) it is necessary for the health or safety of the patient or for the protection of other persons that he should receive such treatment and it cannot be provided unless he is detained under this section<sup>F3</sup>; and
  - (d) appropriate medical treatment is available for him.]
- (3) An application for admission for treatment shall be founded on the written recommendations in the prescribed form of two registered medical practitioners, including in each case a statement that in the opinion of the practitioner the conditions set out in subsection (2) above are complied with; and each such recommendation shall include—
  - (a) such particulars as may be prescribed of the grounds for that opinion so far as it relates to the conditions set out in paragraphs (a) and [<sup>F4</sup>(d)] of that subsection; and
  - (b) a statement of the reasons for that opinion so far as it relates to the conditions set out in paragraph (c) of that subsection, specifying whether other methods

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*Changes to legislation: Mental Health Act 1983, Section 3 is up to date with all changes known to be in force on or before 12 July 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) View outstanding changes*

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of dealing with the patient are available and, if so, why they are not appropriate.

[<sup>F5</sup>(4) In this Act, references to appropriate medical treatment, in relation to a person suffering from mental disorder, are references to medical treatment which is appropriate in his case, taking into account the nature and degree of the mental disorder and all other circumstances of his case.]

#### **Textual Amendments**

- F1** Words in s. 3(2)(a) substituted (3.11.2008) by **Mental Health Act 2007 (c. 12)**, ss. 1, 56, **Sch. 1 para. 2** (with Sch. 10); **S.I. 2008/1900, art. 2(a)** (with art. 3, Sch.)
- F2** S. 3(2)(b) and following word repealed (3.11.2008) by **Mental Health Act 2007 (c. 12)**, ss. 4(2)(a), 55, 56. {Sch. 11 Pt. 2} (with Sch. 10); **S.I. 2008/1900, art. 2(b)(p)** (with art. 3, Sch.)
- F3** S. 3(2)(d) and preceding word inserted (3.11.2008) by **Mental Health Act 2007 (c. 12)**, **ss. 4(2)(b)**, 56 (with Sch. 10); **S.I. 2008/1900, art. 2(b)** (with art. 3, Sch.)
- F4** Word in s. 3(3)(a) substituted (3.11.2008) by **Mental Health Act 2007 (c. 12)**, **ss. 4(2)(c)**, 56 (with Sch. 10); **S.I. 2008/1900, art. 2(b)** (with art. 3, Sch.)
- F5** S. 3(4) inserted (3.11.2008) by **Mental Health Act 2007 (c. 12)**, **ss. 4(3)**, 56 (with Sch. 10); **S.I. 2008/1900, art. 2(b)** (with art. 3, Sch.)

**Changes to legislation:**

Mental Health Act 1983, Section 3 is up to date with all changes known to be in force on or before 12 July 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.

View outstanding changes

**Changes and effects yet to be applied to :**

- s. 3 modified (temp.) by 2020 c. 7 Sch. 8 para. 3(1)(2)

**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)))
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- 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)