



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}64B] **Adult community patients**

- (1) This section applies to the giving of relevant treatment to a community patient who—
 - (a) is not recalled to hospital under section 17E above; and
 - (b) has attained the age of 16 years.
- (2) The treatment may not be given to the patient unless—
 - (a) there is authority to give it to him; and
 - (b) if it is section 58 type treatment or section 58A type treatment, the certificate requirement is met.
- (3) But the certificate requirement does not apply if—
 - (a) giving the treatment to the patient is authorised in accordance with section 64G below; or
 - (b) the treatment is immediately necessary and—
 - (i) the patient has capacity to consent to it and does consent to it; or
 - (ii) a donee or deputy or the Court of Protection consents to the treatment on the patient's behalf.
- (4) Nor does the certificate requirement apply in so far as the administration of medicine to the patient at any time during the period of one month beginning with the day on which the community treatment order is made is section 58 type treatment.
- (5) The reference in subsection (4) above to the administration of medicine does not include any form of treatment specified under section 58(1)(a) above.]]

Status: Point in time view as at 14/07/2004. This version of this provision is not valid for this point in time.
Changes to legislation: Mental Health Act 1983, Section 64B is up to date with all changes known to be in force on or before 04 June 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)

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.)

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