



# Mental Health Act 1959

1959 CHAPTER 72 7 and 8 Eliz 2

## PART IX **E+W**

### MISCELLANEOUS AND GENERAL

#### *Offences*

125, ..... <sup>F1</sup> **E+W**  
126.

#### Textual Amendments

**F1** Ss. 1–5, 10, 22, 25–35, 37–43, 45–60, 62–68, 70–76, 80, 81, 89, 90, 92–96, 99–119, 121–126, 129, 130, 132, 133, 135–141, 144(1)(b), 145(2), 147, 148, 149(3)–(5), 153, Schs. 1, 3, 5, Sch. 7 Pt. I entry relating to: ss. 48 and 49 of the *Fines and Recoveries Act 1983* (c. 74, SIF 98:3), **Sch. 7 Part II** entries relating to: *Polish Resettlement Act 1947* (c. 19), *U.S.A. Veterans' Pensions (Administration) Act 1949* (c. 45) repealed by *Mental Health Act 1983* (c. 20, SIF 85), **Sch. 6**

<sup>F2</sup>127 **Amendment of Sexual Offences Act, 1956.** **E+W**  
.....

#### Textual Amendments

**F2** S. 127 repealed (1.5.2004) by *Sexual Offences Act 2003* (c. 42), s. 141, Sch. 6 para. 13, **Sch. 7**; S.I. 2004/874, art. 2

<sup>F3</sup>128 **Sexual intercourse with patients.** **E+W**  
.....

*Changes to legislation: There are currently no known outstanding effects for the  
Mental Health Act 1959, Cross Heading: Offences. (See end of Document for details)*

**Textual Amendments**

**F3** S. 128 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), s. 141, Sch. 6 para. 13, **Sch. 7**; S.I. 2004/874, art. 2

**129,** ..... <sup>F4</sup> **E+W**  
**130.**

**Textual Amendments**

**F4** Ss. 1–5, 10, 22, 25–35, 37–43, 45–60, 62–68, 70–76, 80, 81, 89, 90, 92–96, 99–119, 121–126, 129, 130, 132, 133, 135–141, 144(1)(b), 145(2), 147, 148, 149(3)–(5), 153, Schs. 1, 3, 5, Sch. 7 Pt. I entry relating to: ss. 48 and 49 of the Fines and Recoveries Act 1983 (c. 74, SIF 98:3), **Sch. 7 Part II** entries relating to: Polish Resettlement Act 1947 (c. 19), U.S.A. Veterans' Pensions (Administration) Act 1949 (c. 45) repealed by Mental Health Act 1983 (c. 20, SIF 85), **Sch. 6**

**131 Prosecutions by local authorities.** **E+W**

(1) A [<sup>F5</sup>local social services authority] may institute proceedings for any offence under this Part of this Act, but without prejudice to any provision of this Part of this Act requiring the consent of the Director of Public Prosecutions for the institution of such proceedings.

(2) ..... <sup>F6</sup>

**Textual Amendments**

**F5** Words substituted by Local Government Act 1972 (c. 70), **Sch. 23 para. 9(2)**  
**F6** Ss. 44, 77, 78, 131(2), 134, 144(2), 146, Sch. 7 Part II entry relating to: Representation of the People Act 1949 (c. 68) repealed by Mental Health (Amendment) Act 1982 (c. 51, SIF 85), **Sch. 4 Pt. I**

**Changes to legislation:**

There are currently no known outstanding effects for the Mental Health Act 1959, Cross  
Heading: Offences.