

*Changes to legislation: There are currently no known outstanding effects for the Mental Health (Amendment) Act 1982, Paragraph 37. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 3

#### CONSEQUENTIAL AMENDMENTS

##### Modifications etc. (not altering text)

- C1** The text of Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### PART I

*<sup>M1</sup>The Criminal Appeal Act 1968*

##### Marginal Citations

- M1** 1968 c. 19.

37 In section 11 after subsection (4) there shall be inserted—

“(5) The fact that an appeal is pending against an interim hospital order under the Mental Health (Amendment) Act 1982 shall not affect the power of the court below to renew or terminate the order or to deal with the appellant on its termination ; and where the Court of Appeal quash such an order but do not pass any sentence or make any other order in its place the Court may direct the appellant to be kept in custody or released on bail pending his being dealt with by the court below.

(6) Where the Court of Appeal make an interim hospital order by virtue of subsection (3) of this section—

(a) the power of renewing or terminating it and of dealing with the appellant on its termination shall be exercisable by the court below and not be the Court of Appeal ; and

(b) the court below shall be treated for the purposes of section 31(8) of the said Act of 1982 (absconding offender) as the court that made the order.”

**Changes to legislation:**

There are currently no known outstanding effects for the Mental Health (Amendment) Act 1982, Paragraph 37.