

SCHEDULES

SCHEDULE 4

CONSEQUENTIAL AMENDMENTS

- 23 In the Criminal Appeal Act 1968—
- (a) in section 6(4) for the words " section 72 of the Mental Health Act 1959 " and " subsection (6) " there shall be substituted respectively the words " section 47 of the Mental Health Act 1983 " and " subsection (5) " ;
 - (b) in section 8(3) after the words " Part V of the Mental Health Act 1959 " there shall be inserted the words " or under Part III of the Mental Health Act 1983 (other than under section 35, 36 or 38 of that Act) " ;
 - (c) in section 8(3A)—
 - (i) for the words " section 30 of the Mental Health (Amendment) Act 1982 " there shall be substituted the words " section 36 of the Mental Health Act 1983 " ;
 - (ii) for the words " section 31 of that Act " there shall be substituted the words " section 38 of that Act " ; and
 - (iii) for the words " Part V of the Mental Health Act 1959 " there shall be substituted the words " Part III of that Act " ;
 - (d) in section 11—
 - (i) in subsection (5) for the words " the Mental Health (Amendment) Act 1982 " there shall be substituted the words " the Mental Health Act 1983 " ; and
 - (ii) in subsection (6)(b) for the words " section 31(8) of the said Act of 1982 " there shall be substituted the words " section 38(7) of the said Act of 1983 " .
 - (e) in section 14(5) for the words " section 72 of the Mental Health Act 1959 " and " subsection (6) " there shall be substituted respectively the words " section 47 of the Mental Health Act 1983 " and " subsection (5) " ;
 - (f) in section 16(3) for the words " the Mental Health Act 1959 " and " Part V " there shall be substituted respectively the words " the Mental Health Act 1983 " and " Part III " ;
 - (g) in section 37(4) for the words " Part V of the Mental Health Act 1959 " and " the Mental Health Act 1959 " there shall be substituted respectively the words " Part III of the Mental Health Act 1983 (otherwise than under section 35, 36 or 38 of that Act) " and " the Mental Health Act 1983 " ;
 - (h) in section 37(4A) for the words " section 30 of the Mental Health (Amendment) Act 1982 " , " section 31 " and " Part V of the said Act of 1959 " wherever they occur there shall be substituted respectively the words " section 36 of the Mental Health Act 1983 " , " section 38 " and " Part III of the said Act of 1983 " ;
 - (i) in section 50(1), for the words from " Part V " to " 1982 " there shall be substituted the words " Part III of the Mental Health Act 1983, with or without a restriction order, and an interim hospital order under that Part " ;

Status: This is the original version (as it was originally enacted).

- (j) in section 51(2) for the words " section 147(1) of the Mental Health Act 1959 " there shall be substituted the words " section 145(1) of the Mental Health Act 1983 " ;
- (k) in paragraph 1(3) of Schedule 1 for the words " the Mental Health Act 1959 " there shall be substituted the words " the Mental Health Act 1983 " ;
- (l) in paragraph 2 of Schedule 1 for the words " the Mental Health Act 1959 ", " section 60 " and " section 65 " there shall be substituted respectively the words " the Mental Health Act 1983 " , " section 37 " and " section 41 " ;
- (m) in paragraph 3 of Schedule 1 for the words " Part IV of the Mental Health Act 1959 " and " the said Part IV " there shall be substituted respectively the words " Part II of the Mental Health Act 1983 " and " the said Part II " ;
- (n) in Schedule 3—
 - (i) in the heading to the Schedule for the words " PART V OF MENTAL HEALTH ACT 1959 " there shall be substituted the words " PART II OF MENTAL HEALTH ACT 1983 " ; and
 - (ii) for paragraph 2 there shall be substituted—

“Order for continued detention under Act of 1983

- 2 Where an order is made by the Court of Appeal under section 16(3) of this Act for a person's continued detention under the Mental Health Act 1983, Part III of that Act (patients concerned in criminal proceedings or under sentence) shall apply to him as if he had been ordered under the said section 16(3) to be kept in custody pending trial and were detained in pursuance of a transfer direction together with a restriction direction.”.