



Mental Health Act 1983

1983 CHAPTER 20

PART X

MISCELLANEOUS AND SUPPLEMENTARY

Miscellaneous provisions

142 Pay, pensions, etc., of mentally disordered persons.

- [^{F1}(1) Where a periodic payment falls to be made to any person by way of pay or pension or otherwise in connection with the service or employment of that or any other person, and the payment falls to be made directly out of moneys provided by Parliament or the Consolidated Fund [^{F2}or the Scottish Consolidated Fund], or other moneys administered by or under the control or supervision of a government department, the authority by whom the sum in question is payable, if satisfied after considering medical evidence that the person to whom it is payable (referred to in this section as “the patient”) is incapable by reason of mental disorder of managing and administering his property and affairs, may, instead of paying the sum to the patient, apply it in accordance with subsection (2) below.
- (2) The authority may pay the sum or such part of it as they think fit to the institution or person having the care of the patient, to be applied for his benefit and may pay the remainder (if any) or such part of the remainder as they think fit—
- (a) to or for the benefit of persons who appear to the authority to be members of the patient’s family or other persons for whom the patient might be expected to provide if he were not mentally disordered, or
 - (b) in reimbursement, with or without interest, of money applied by any person either in payment of the patient’s debts (whether legally enforceable or not) or for the maintenance or other benefit of the patient or such persons as are mentioned in paragraph (a) above.
- (3) In this section “government department” does not include a Northern Ireland department.]

Status: Point in time view as at 01/10/2007.

Changes to legislation: Mental Health Act 1983, Section 142 is up to date with all changes known to be in force on or before 31 May 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** S. 142 ceases to have effect (E.W.) (1.10.2007) by [Mental Capacity Act 2005 \(c. 9\)](#), ss. 67(1), 68(1)-(3), [Sch. 6 para. 29\(4\)](#) (with ss. 27, 28, 29, 62, [Sch. 6 para. 29\(5\)\(6\)](#)); S.I. 2007/1897, [art. 2\(1\)\(d\)](#); s. 142 repealed (S.) (5.10.2007) by [Adult Support and Protection \(Scotland\) Act 2007 \(asp. 10\)](#), ss. 77(2), 79, [Sch. 2](#); S.S.I. 2007/334, [art. 2\(b\)](#), [Sch. 2](#) (with art. 6)
- F2** Words in s. 142(1) inserted (1.7.1999) by S.I. 1999/1820, art. 4, [Sch. 2 Pt. I](#), para. 71(3) (with art. 5); S.i 1998/3178, art. 3

Modifications etc. (not altering text)

- C1** S. 142 applied (21.1.1994) by S.I. 1993/3253, [reg. R1\(2\)](#).

Status:

Point in time view as at 01/10/2007.

Changes to legislation:

Mental Health Act 1983, Section 142 is up to date with all changes known to be in force on or before 31 May 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.