



Mental Health Act 1983

1983 CHAPTER 20

PART X

MISCELLANEOUS AND SUPPLEMENTARY

Supplemental

145 Interpretation.

(1) In this Act, unless the context otherwise requires—

“absent without leave” has the meaning given to it by section 18 above and related expressions shall be construed accordingly;

“application for admission for assessment” has the meaning given in section 2 above;

“application for admission for treatment” has the meaning given in section 3 above;

“approved social worker” means an officer of a local social services authority appointed to act as an approved social worker for the purposes of this Act;

“hospital” means—

(a) any health service hospital within the meaning of the ^{M1}National Health Service Act 1977; and

(b) any accommodation provided by a local authority and used as a hospital by or on behalf of the Secretary of State under that Act;

and “hospital within the meaning of Part II of this Act” has the meaning given in section 34 above;

“hospital order” and “guardianship order” have the meanings respectively given in section 37 above;

“interim hospital order” has the meaning given in section 38 above;

“local social services authority” means a council which is a local authority for the purpose of the ^{M2}Local Authority Social Services Act 1970;

“the managers” means—

Status: Point in time view as at 05/11/1993. This version of this provision has been superseded.
Changes to legislation: *Mental Health Act 1983, Section 145 is up to date with all changes known to be in force on or before 30 July 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)*

- (a) in relation to a hospital vested in the Secretary of State for the purposes of his functions under the ^{M3}National Health Service Act 1977, and in relation to any accommodation provided by a local authority and used as a hospital by or on behalf of the Secretary of State under that Act, the District Health Authority or special health authority responsible for the administration of the hospital;
- (b) in relation to a special hospital, the Secretary of State;
- [^{F1}(bb) in relation to a hospital vested in a National Health Service trust, the directors of the trust]
- (c) in relation to a mental nursing home registered in pursuance of [^{F2}the Registered Homes Act 1984], the person or persons registered in respect of the home;
 - and in this definition “hospital” means a hospital within the meaning of Part II of this Act;
 - “medical treatment” includes nursing, and also includes care, habilitation and rehabilitation under medical supervision;
 - “mental disorder”, “severe mental impairment”, “mental impairment” and “psychopathic disorder” have the meanings given in section 1 above;
 - “mental nursing home” has the same meaning as in the [^{F2}the Registered Homes Act 1984];
 - “nearest relative”, in relation to a patient, has the meaning given in Part II of this Act;
 - “patient” (except in Part VII of this Act) means a person suffering or appearing to be suffering from mental disorder;
 - “restriction direction” has the meaning given to it by section 49 above;
 - “restriction order” has the meaning given to it by section 41 above;
 - “special hospital” has the same meaning as in the ^{M4}National Health Service Act 1977;
 - ^{F3}
 - “transfer direction” has the meaning given to it by section 47 above.

^{F4}(2)

- (3) In relation to a person who is liable to be detained or subject to guardianship by virtue of an order or direction under Part III of this Act (other than under section 35, 36 or 38), any reference in this Act to any enactment contained in Part II of this Act or in section 66 or 67 above shall be construed as a reference to that enactment as it applies to that person by virtue of Part III of this Act.

Textual Amendments

- F1** In the definition of “the managers” paragraph (bb) inserted by [National Health Service and Community Care Act 1990 \(c. 19, SIF 113:2\)](#), s. 66(1), **Sch. 9 para. 24(9)**
- F2** Words substituted by [Registered Homes Act 1984 \(c. 23, SIF 113:3\)](#), s. 57, **Sch. 1 para. 11**
- F3** Definition of "standard scale" in s. 145(1) repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIV** Group. 2.
- F4** [S. 145\(2\)](#) repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIV** Gp. 2.

Marginal Citations

- M1** 1977 c. 49.
- M2** 1970 c. 42.
- M3** 1977 c. 49.

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M4 1977 c. 49.

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