



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;

[^{F1}“care home” has the same meaning as in the Care Standards Act 2000]

[^{F2}“Health Authority” means a Health Authority established under section 8 of the ^{M1}National Health Service Act 1977;]

[^{F3}“high security psychiatric services” has the same meaning as in the ^{M2}National Health Service Act 1977,]

“hospital” means—

(a) any health service hospital within the meaning of the ^{M3}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;

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

[^{F4}“hospital direction” has the meaning given in section 45A(3)(a) above;]

Status: Point in time view as at 01/04/2002. This version of this provision has been superseded.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)

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

[^{F5}“independent hospital” has the same meaning as in the Care Standards Act 2000;]

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

[^{F4}“limitation direction” has the meaning given in section 45A(3)(b) above;]

“local social services authority” means a council which is a local authority for the purpose of the ^{M4}Local Authority Social Services Act 1970;

“the managers” means—

- (a) in relation to a hospital vested in the Secretary of State for the purposes of his functions under the ^{M5}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 [^{F6}Health Authority or Special Health Authority] responsible for the administration of the hospital;

^{F7}(b)

[^{F8}(bb) in relation to a hospital vested in [^{F9}a Primary Care Trust or] a National Health Service trust, ^{F10}... the trust]

[^{F11}(c) in relation to a registered establishment, the person or persons registered in respect of the establishment;]

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;

^{F12}

“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;

[^{F13}“Primary Care Trust” means a Primary Care Trust established under section 16A of the National Health Service Act 1977;]

[^{F14}“registered establishment” has the meaning given in section 34 above;]

[^{F15}“the responsible after-care bodies” has the meaning given in section 25D above;]

“restriction direction” has the meaning given to it by section 49 above;

“restriction order” has the meaning given to it by section 41 above;

[^{F16}“Special Health Authority” means a Special Health Authority established under section 11 of the National Health Service Act 1977;]

^{F17}

[^{F18}“supervision application” has the meaning given in section 25A above;]

^{F19}

“transfer direction” has the meaning given to it by section 47 above.

[^{F20}(1AA) Where high security psychiatric services and other services are provided at a hospital, the part of the hospital at which high security psychiatric services are provided and the other part shall be treated as separate hospitals for the purposes of this Act.]

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[^{F21}(1A) References in this Act to a patient being subject to after-care under supervision (or to after-care under supervision) shall be construed in accordance with section 25A above.]

^{F22}(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** S. 145: definition of "care home" inserted (1.4.2002) by 2000 c. 14, s. 116, **Sch. 4 para. 9(10)(a)**; S.I. 2001/4150, **art. 3(3)** (subject to art. 4); S.I. 2002/920, **art. 3(3)(d)** (subject to transitional provisions in Schs. 1-3 and art. 3(4)-(10))
- F2** Definition of "Health Authority" inserted (28.6.1995 for certain purposes, otherwise 1.4.1996) by 1995 c. 17, ss. 2(1)(3), 8, **Sch. 1 para. 107(14)(a)**
- F3** Definition of high security psychiatric services inserted (1.4.2000) by 1999 c. 8, s. 65, **Sch. 4, para. 69(2)(a)**; S.I. 1999/2793, art. 2(3)(a), **Sch. 3**
- F4** Definitions of "hospital direction" and "limitation direction" inserted (E.W but unlimited in so far as it confers a power or imposes a duty on a court-martial or a Standing Civilian Court) (1.10.1997) by 1997 c. 43, s. 55, **Sch. 4 para. 12(19)** (with s. 57(4)(8); S.I. 1997/2200, **art. 2**
- F5** S. 145: definition of "independent hospital" inserted (1.4.2002) by 2000 c. 14, s. 116, **Sch. 4 para. 9(10)(b)**; S.I. 2001/4150, **art. 3(3)** (subject to art. 4); S.I. 2002/920, **reg. 3(3)(d)** (subject to transitional provisions in Schs. 1-3 and art. 3(4)-(10))
- F6** Words in definition of "the managers" substituted (28.6.1995 for certain purposes, otherwise 1.4.1996) by 1995 c. 17, ss. 2(1)(3), 8, **Sch. 1 para. 107(14)(b)**
- F7** n the definition of "the managers" para. (b) repealed (1.4.2000) by 1999 c. 8, ss. 41(2), 65(2), **Sch. 5**; S.I. 1999/2793, art. 2(3)(a), **Sch. 3**
- F8** 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)**
- F9** S. 145(1): words in definition of "the managers" para. (bb) inserted (8.2.2000) by S.I. 2000/90, art. 3(1), **Sch. 1 para. 16(9)(a)** (with art. 2(5))
- F10** Words in definition of "the managers" in s. 145(1) repealed (E.W.) (14.4.1994) by 1994 c. 6, **ss. 1, 2(2)(3)**
- F11** S. 145: definition of "the managers" para. (c) substituted (1.4.2002) by 2000 c. 14, s. 116, **Sch. 4 para. 9(10)(c)**; S.I. 2001/4150, **art. 3(3)** (subject to art. 4); S.I. 2002/920, **reg. 3(3)(d)** (subject to transitional provisions in Schs. 1-3 and art. 3(4)-(10))
- F12** Definition of "mental nursing home" in s 145(1) repealed (1.4.2002) by 2000 c. 14, s. 117(2), **Sch. 6**; S.I. 2001/4150, **art. 3(3)** (subject to art. 4); S.I. 2002/920, **reg. 3(3)(g)** (subject to transitional provisions in Schs. 1-3 and art. 3(5)-(10))
- F13** S. 145(1): definition of "Primary Care Trust" inserted (8.2.2000) by S.I. 2000/90, art. 3(1), **Sch. 1 para. 16(9)(b)**
- F14** S. 145: definition of "registered establishment" inserted (1.4.2002) by 2000 c. 14, s. 116, **Sch. 4 para. 9(10)(d)**; S.I. 2001/4150, **art. 3(3)** (subject to art. 4); S.I. 2002/920, **reg. 3(3)(d)** (subject to transitional provisions in Schs. 1-3 and art. 3(4)-(10))

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- F15** Definition of “the responsible after-care bodies” inserted (1.4.1996) by 1995 c. 52, ss. 1(2), 7(2), **Sch. 1 para. 20(2)(a)**
- F16** Definition of “Special Health Authority” inserted (28.6.1995 for certain purposes, otherwise 1.4.1996) by 1995 c. 17, ss. 2(1)(3), 8, **Sch. 1 para. 107(14)(c)**
- F17** Definition of “special hospital” repealed (1.4.2000) by 1999 c. 8, s. 65, Sch. 4, para. 69(2)(b), **Sch. 5**; S.I. 1999/2793, art. 2(3)(a), **Sch. 3**
- F18** Definition of “supervision application” inserted (1.4.1996) by 1995 c. 52, ss. 1(2), 7(2), **Sch. 1**, para. 20(2)(b)
- F19** 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.
- F20** S. 145(1AA) inserted (1.4.2000) by 1999 c. 8, S. 65(1), **Sch. 4**, para. 69(3); S.I. 1999/2793, art. 2(3)(a), **Sch. 3**
- F21** S. 145(1A) added (1.4.1996) by 1995 c. 52, ss. 1(2), 7(2), **Sch. 1**, para. 20(3)
- F22** 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** S.I. 1977 c.49.
- M3** 1977 c. 49.
- M4** 1970 c. 42.
- M5** 1977 c. 49.

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