

SCHEDULES

SCHEDULE 1

Section 5(1).

ORDERS FOR ADMISSION TO HOSPITAL

- 1 (1) An admission order, that is to say, an order for admission to hospital made—
- (a) by the Crown Court under section 5 of the 1964 Act; or
 - (b) by the Court of Appeal under section 6, 14 or 14A of the 1968 Act,
- shall be sufficient authority for any person acting under the authority of the Secretary of State to take the person to whom the order relates and convey him at any time within the relevant period to the hospital specified by the Secretary of State.
- (2) The court by which any such order is made may give such directions as it thinks fit for the conveyance of a person to whom the order relates to a place of safety and his detention there pending his admission to the hospital within the relevant period.
- (3) Where a person is admitted within the relevant period to the hospital specified by the Secretary of State, the admission order shall be sufficient authority for the managers to detain him in accordance with the provisions of the 1983 Act referred to in paragraphs 2 and 3 below, as those provisions apply by virtue of those paragraphs.
- (4) The relevant period for the purposes of this paragraph is—
- (a) in relation to an admission order made otherwise than under section 14A of the 1968 Act, the period of two months;
 - (b) in relation to an admission order excepted by paragraph (a) above, the period of seven days,
- beginning (in either case) with the date on which the order in question was made.
- 2 (1) A person who is admitted to a hospital in pursuance of an admission order made otherwise than under section 14A of the 1968 Act shall be treated for the purposes of the 1983 Act—
- (a) as if he had been so admitted in pursuance of a hospital order within the meaning of that Act made on the date of the admission order; and
 - (b) if the court so directs, as if an order restricting his discharge had been made under section 41 of that Act, either without limitation of time or during such period as may be specified in the direction.
- (2) Where the offence to which the special verdict, findings or appeal relates is an offence the sentence for which is fixed by law, the court shall give a direction under subparagraph (1)(b) above without specifying any period.
- (3) In the application of subsection (5) of section 40 of the 1983 Act to admission orders made under section 5 of the 1964 Act, that subsection shall have effect as if the reference to a conviction included a reference to a special verdict and to findings that the accused was under a disability and that he did the act or made the omission charged against him.

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

- (4) In section 47 of the 1983 Act (which relates to the removal to hospital of persons serving sentences of imprisonment and is applied by subsection (5) of that section to persons in other forms of detention), references to a person serving a sentence of imprisonment shall be construed as not including references to a person subject to an admission order made under section 6 or 14 of the 1968 Act.
- 3 A person who is admitted to a hospital in pursuance of an admission order made under section 14A of the 1968 Act shall be treated for the purposes of Part II of the 1983 Act as if he had been admitted (on the date of the admission order) in pursuance of an application for admission for assessment duly made under the said Part II.
- 4 (1) If, while a person is detained in pursuance of an admission order made by virtue of section 5(1)(b) of the 1964 Act (findings of unfitness to plead etc.), the Secretary of State, after consultation with the responsible medical officer, is satisfied that that person can properly be tried, the Secretary of State may remit that person for trial either—
- (a) to the court of trial; or
 - (b) to a prison; or
 - (c) to a remand centre provided under section 43 of the Prison Act 1952;
- and on his arrival at the court, prison or remand centre, the order shall cease to have effect.
- (2) For the purposes of sub-paragraph (1) above, a person shall not be treated as detained in pursuance of such an order as is there mentioned if—
- (a) no direction has been given in his case under paragraph 2(1)(b) above; or
 - (b) the Secretary of State has directed under section 42(1) of the 1983 Act that he shall cease to be subject to the special restrictions set out in section 41(3) of that Act.
- (3) In relation to persons ordered under section 2 of the Criminal Lunatics Act 1800 to be kept in custody, sub-paragraphs (1) and (2) above shall apply as if the order were such an order as is mentioned in sub-paragraph (1) above.