



# Health Act 1999

## 1999 CHAPTER 8

### PART I

#### THE NATIONAL HEALTH SERVICE

##### *Miscellaneous*

#### **41 High security psychiatric services**

(1) For section 4 of the 1977 Act (special hospitals) there is substituted—

##### **“4 High security psychiatric services**

- (1) The duty imposed on the Secretary of State by section 1 above to provide services for the purposes of the health service includes a duty to provide hospital accommodation and services for persons who are liable to be detained under the Mental Health Act 1983 and in his opinion require treatment under conditions of high security on account of their dangerous, violent or criminal propensities.
  - (2) The hospital accommodation and services mentioned in subsection (1) above are in this Act referred to as “high security psychiatric services”.
  - (3) High security psychiatric services shall be provided only at hospital premises at which services are provided only for the persons mentioned in subsection (1) above; and for this purpose “hospital premises” means—
    - (a) a hospital; or
    - (b) any part of a hospital which is treated as a separate unit.”
- (2) In section 145(1) of the Mental Health Act 1983 (interpretation), in the definition of “the managers”, paragraph (b) is omitted.
- (3) At the end of paragraph 10 of Schedule 2 to the 1990 Act (powers of NHS trusts to enter into NHS contracts) there is inserted—

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*Status: This is the original version (as it was originally enacted).*

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- “(2) An NHS trust may not, as the provider, enter into an NHS contract for the provision of high security psychiatric services unless the NHS trust is approved for the purpose of this paragraph by the Secretary of State.
- (3) Such approval—
- (a) shall be for a period specified in the approval,
  - (b) may be given subject to conditions, and
  - (c) may be amended or revoked at any time.”