



# Mental Health Act 2007

## 2007 CHAPTER 12

### PART 1

#### AMENDMENTS TO MENTAL HEALTH ACT 1983

### CHAPTER 1

#### CHANGES TO KEY PROVISIONS

#### *Tests for detention etc*

#### **5 Further cases in which appropriate treatment test is to apply**

- (1) The 1983 Act is amended as follows.
- (2) In section 36(1) (remand to hospital for treatment) after paragraph (a) (inserted by Schedule 1 to this Act) insert “and
  - (b) appropriate medical treatment is available for him.”
- (3) In section 48(1) (removal to hospital of immigration detainees etc) after paragraph (b) (inserted by Schedule 1 to this Act) insert “and
  - (c) appropriate medical treatment is available for him;”.
- (4) In section 51(6)(a) (further power to make hospital order) after sub-paragraph (i) (inserted by Schedule 1 to this Act) insert “and
  - (ii) appropriate medical treatment is available for him; and”.