



Mental Health Act 2007

2007 CHAPTER 12

PART 1

AMENDMENTS TO MENTAL HEALTH ACT 1983

CHAPTER 1

CHANGES TO KEY PROVISIONS

Medical treatment

6 Appropriate treatment test in Part 4 of 1983 Act

- (1) Part 4 of the 1983 Act (consent to treatment) is amended as follows.
- (2) In the following provisions, for the words from “, having regard to” to the end substitute “ it is appropriate for the treatment to be given. ”
 - (a) section 57(2)(b) (certification of second opinion where treatment requires consent and a second opinion), and
 - (b) section 58(3)(b) (certification of second opinion where treatment requires consent or a second opinion).
- (3) In section 64 (supplementary provisions for Part 4), after subsection (2) insert—
 - “(3) For the purposes of this Part of this Act, it is appropriate for treatment to be given to a patient if the treatment is appropriate in his case, taking into account the nature and degree of the mental disorder from which he is suffering and all other circumstances of his case.”

7 Change in definition of “medical treatment”

- (1) Section 145 of the 1983 Act is amended as follows.

Changes to legislation: There are currently no known outstanding effects for the Mental Health Act 2007, Cross Heading: Medical treatment. (See end of Document for details)

- (2) In subsection (1), in the definition of “medical treatment”, for the words from “and also” to the end substitute “ psychological intervention and specialist mental health habilitation, rehabilitation and care (but see also subsection (4) below);”.
- (3) After subsection (3) insert—
 - “(4) Any reference in this Act to medical treatment, in relation to mental disorder, shall be construed as a reference to medical treatment the purpose of which is to alleviate, or prevent a worsening of, the disorder or one or more of its symptoms or manifestations.”

Changes to legislation:

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Heading: Medical treatment.