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*Changes to legislation:* There are currently no known outstanding effects for the Mental Health Act 2007, SCHEDULE 11. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 11

Section 55

#### REPEALS AND REVOCATIONS

#### PART 1

#### REMOVAL OF CATEGORIES OF MENTAL DISORDER

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<i>Reference</i>	<i>Extent of repeal or revocation</i>
Juries Act 1974 (c. 23)	In Schedule 1, paragraph 4(1).
Mental Health Act 1983 (c. 20)	In section 1(2), the definitions of— (a) “severe mental impairment” and “severely mentally impaired”, (b) “mental impairment” and “mentally impaired”, and (c) “psychopathic disorder”. In section 7(2)(a), the words “, being mental illness, severe mental impairment, psychopathic disorder or mental impairment and his mental disorder is”. Section 11(6). In section 15(3), the words from “; but this subsection” to the end. Section 16. Section 20(9). Section 21B(8) and (9). In section 37— (a) in subsection (3), the words “as being a person suffering from mental illness or severe mental impairment”, and (b) subsection (7). In section 45A, subsections (10) and (11). Section 47(4). Section 55(3). In section 66(1), paragraphs (d) and (fb) (and the word “or” at the end of those paragraphs). Section 72(5). Section 92(3). In Part 1 of Schedule 1— (a) in paragraph 2, the word “16,”, (b) paragraph 3, and (c) in paragraph 6, paragraph (b) (and the word “and” immediately preceding it). In Schedule 5—

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	(a) in paragraph 37(5), the words from “, and he shall be so treated” to the end, and
	(b) paragraph 39.
Mental Health (Patients in the Community) Act 1995 (c. 52)	In Schedule 1, paragraph 10(4).
Mental Capacity Act 2005 (c. 9)	In Schedule 4, in paragraph 23(1), the words “(within the meaning of the Mental Health Act)”.
Mental Health (Care and Treatment) (Scotland) Act 2003 (Consequential Provisions) Order 2005 (S.I. 2005/2078)	In Schedule 1, paragraph 2(8).

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## PART 2

### REPLACEMENT OF “TREATABILITY” AND “CARE” TESTS

<i>Reference</i>	<i>Extent of repeal or revocation</i>
Mental Health Act 1983 (c. 20)	In section 3(2), paragraph (b) (and the word “and” at the end of that paragraph). In section 20(4)— (a) paragraph (b) (and the word “and” at the end of that paragraph), and (b) the words from “but, in the case of mental illness” to the end. Section 72(2).

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## PART 3

### APPROVED CLINICIANS AND RESPONSIBLE CLINICIANS

<i>Reference</i>	<i>Extent of repeal or revocation</i>
Mental Health Act 1983 (c. 20)	Section 20(10). In section 21B(10), the definition of “appropriate medical officer”. In section 61(3), the words “to the responsible medical officer”.
Health and Social Care (Community Health and Standards) Act 2003 (c. 43)	In Schedule 4, paragraph 51.
Civil Partnership Act 2004 (c. 33)	In Schedule 27, paragraph 86(a).
National Health Service (Consequential Provisions) Act 2006 (c. 43)	In Schedule 1, paragraph 63.

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## PART 4

### SAFEGUARDS FOR PATIENTS

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<i>Reference</i>	<i>Extent of repeal or revocation</i>
Mental Health Act 1983	In section 29— (a) in subsection (2), the words from “but in relation to” to the end, and (b) in subsection (3), the word “or” at the end of paragraph (c).

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## PART 5

### SUPERVISED COMMUNITY TREATMENT

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#### Commencement Information

- II** Sch. 11 Pt. 5 not in force at Royal Assent see s. 56(1); Sch. 11 Pt. 5 in force at 3.11.2008 by S.I. 2008/1210, arts. 1(1)(b), 2(d)

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<i>Reference</i>	<i>Extent of repeal or revocation</i>
Mental Health Act 1983	In section 18(4), the words from “and, in determining” to the end. Sections 25A to 25J. In section 29(3)(d), the words “from hospital or guardianship”. In section 32(2)(c), the words “or to after-care under supervision”. In section 34— (a) in subsection (1), the definitions of “the community responsible medical officer” and “the supervisor”, and (b) subsection (1A). In section 66(1)— (a) paragraphs (ga), (gb) and (gc) (and the word “or” at the end of each of those paragraphs), and (b) in sub-paragraph (i), the words from “or, in the cases” to the end. In section 66(2)— (a) in paragraph (d), the words “and (gb)”, and (b) paragraph (fa). In section 67(1), the words “or to after-care under supervision”. In section 69(2)(b), the words “45B(2), 46(3),”. Section 72(4A).

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Mental Health (Patients in the Community) Act 1995 (c. 52)	<p>In section 76(1), the words from “or to after-care” to “leaves hospital”).</p> <p>Section 117(2A).</p> <p>Section 127(2A).</p> <p>In section 145—</p> <p style="padding-left: 20px;">(a) in subsection (1), the definitions of “the responsible after-care bodies” and “supervision application”, and</p> <p style="padding-left: 20px;">(b) subsection (1A).</p> <p>In section 146, the words from “128” to “guardianship”).</p> <p>In Part 1 of Schedule 1—</p> <p style="padding-left: 20px;">(a) in paragraph 2, the words “, 25A, 25B”, and</p> <p style="padding-left: 20px;">(b) paragraph 8A.</p>
Crime (Sentences) Act 1997 (c. 43)	In Schedule 4, paragraph 12(8).
National Health Service Reform and Health Care Professions Act 2002 (c. 17)	In Schedule 2, paragraphs 43 to 45.
Civil Partnership Act 2004 (c. 33)	In Schedule 27, in paragraph 86, paragraph (b) (and the word “and” immediately preceding it).
Mental Health (Patients in the Community) Act 1995 (c. 52)	<p>Section 1(1).</p> <p>In Schedule 1—</p> <p style="padding-left: 20px;">(a) in paragraph 2, paragraph (c) (and the word “and” immediately preceding it),</p> <p style="padding-left: 20px;">(b) in paragraph 11, paragraph (a) (and the word “and” at the end of that paragraph), and</p> <p style="padding-left: 20px;">(c) paragraphs 3, 4, 6, 7, 8(2), 10(1) to (3), 12, 13, 18 and 20.</p>

## PART 6

### ORGANISATION OF TRIBUNALS

<i>Reference</i>	<i>Extent of repeal or revocation</i>
Mental Health Act 1983 (c. 20)	<p>In section 78(6), the words “, if for any reason he is unable to act,”.</p> <p>In section 143(2), the words “or 65”.</p> <p>In paragraph 4 of Schedule 2, the words “, if for any reason he is unable to act,”.</p>
Health Authorities Act 1995 (c. 17)	In Schedule 1, paragraph 107(13).

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PROSPECTIVE

## PART 7

### CROSS-BORDER ARRANGEMENTS

<i>Reference</i>	<i>Extent of repeal or revocation</i>
Mental Health Act 1983	In section 80(1), the words “or subject to guardianship” and the words “or, as the case may be, for receiving him into guardianship”. In section 88(3)— (a) the words “to Scotland or Northern Ireland”, (b) paragraph (a), and (c) in paragraph (b), the words “in Northern Ireland,”. In section 146, the words from “88” to “138”.
Mental Health (Care and Treatment) (Scotland) Act 2003 (Consequential Provisions) Order 2005 (S.I. 2005/2078)	Articles 1(5), 2 and 3. In Schedule 1, paragraph 2(5).

## PART 8

### RESTRICTED PATIENTS

<i>Reference</i>	<i>Extent of repeal or revocation</i>
Colonial Prisoners Removal Act 1884 (c. 31)	In section 10(3)(a), the words “, made without limitation of time”.
Mental Health Act 1983	In section 41(1), the words “, either without limit of time or during such period as may be specified in the order”. In section 42(4)(b), the words from “, and, if the restriction order was made for a specified period,” to the end. In section 44(3), the words “, made without limitation of time”. In section 81(7), the words “restriction order or” in each place, In section 81A(3)— (a) the words “restriction order or” in each place, and (b) the words “order or”. In section 84(2), the words “, made without limitation of time”.

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In section 91(2), the words “at any time before the end of the period for which those orders would have continued in force”.

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## PART 9

### MISCELLANEOUS

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<i>Reference</i>	<i>Extent of repeal or revocation</i>
Children Act 1989 (c. 41)	In Schedule 13, paragraph 48(5).

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## PART 10

### DEPRIVATION OF LIBERTY

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<i>Reference</i>	<i>Extent of repeal or revocation</i>
Mental Capacity Act 2005 (c. 9)	Section 6(5). Section 11(6). Section 20(13).

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