
Changes to legislation: *Mental Health Act 1983, SCHEDULE 6 is up to date with all changes known to be in force on or before 15 December 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULES

SCHEDULE 6

Section 134.

REPEALS

Chapter	Short title	Extent of repeal
7 & 8 Eliz. 2. c. 72.	The Mental Health Act 1959.	Sections 1 to 5. Section 10. Section 22. Sections 25 to 35. Sections 37 to 43. Sections 45 to 60. Sections 62 to 68. Sections 70 to 76. Sections 80 and 81. Section 85. Section 87. Sections 89 and 90. Sections 92 to 96. Sections 99 to 119. Sections 121 to 126. Sections 129 and 130. Sections 132 and 133. Section 135 to 141. In section 144, in subsection (1), paragraph (b). Section 145(2). Sections 147 and 148. Section 149(3) to (5). In section 150, the words from “section ten” to “section one hundred and forty one” and from “section one hundred and forty six” to “Schedules”.

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		In section 152, the words from “sections eighty-five” to “Northern Ireland by that section”, from “section one hundred and twenty-nine” to “Schedules” and the words “Part II of the Seventh Schedule; Part II of the Eighth Schedule”.
		Section 153.
		Schedule 1.
		Schedule 3.
		Schedule 5.
		Schedule 6, except paragraph 15(4).
		In Schedule 7, in Part I the entry relating to sections 48 and 49 of the Fines and Recoveries Act 1833 and in Part II the entries relating to the Polish Resettlement Act 1947 and the USA Veterans’ Pensions (Administration) Act 1949.
Chapter	Short title	Extent of repeal
1960 c. 61.	The Mental Health (Scotland) Act 1960.	Section 74.
		In Schedule 4, all the entries relating to the Mental Health Act 1959 except those relating to section 9 and Schedule 7.
1961 (N.I.) c. 15.	The Mental Health Act (Northern Ireland) 1961.	In Schedule 5, paragraphs 1 to 4.
1964 c. 84.	The Criminal Procedure (Insanity) Act 1964.	Section 4(7).
1965 c. 2.	The Administration of Justice Act 1965.	In Schedule 1, the entry relating to the Mental Health Act 1959.
1968 c. 20.	The Courts-Martial (Appeals) Act 1968.	In Schedule 4, the entry relating to the Mental Health Act 1959.
1968 c. 49.	The Social Work (Scotland) Act 1968.	In Schedule 8, paragraphs 48 and 49.

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1969 c. 46.	The Family Law Reform Act 1969.	In Schedule 1 the entries relating to the Mental Health Act 1959.
1969 c. 54.	The Children and Young Persons Act 1969.	In Schedule 5, paragraphs 38 to 40.
1969 c. 58.	The Administration of Justice Act 1969.	Sections 17 to 19.
1970 c. 42.	The Local Authority Social Services Act 1970.	In Schedule 1, the entry relating to the Mental Health (Amendment) Act 1982.
1971 c. 23.	The Courts Act 1971.	In Schedule 8, paragraph 38. In Part I of Schedule 9, the entry relating to the Mental Health Act 1959.
1971 c. 77.	The Immigration Act 1971.	In section 30(2), the words from “and accordingly” onwards.
1972 c. 70.	The Local Government Act 1972.	In Schedule 23, in paragraph 9, in sub-paragraph (1) the words “35, 56(2)(c) and 56(3)”, in sub-paragraph (2) the words “10(1), 22, 27(2), 33, 34, 38(3), 40 to 43, 47(2), 52, 53, 59, 60” and “132”, sub-paragraphs (4), (5) and (6).
1973 c. 29.	The Guardianship Act 1973.	In section 1(8), the words from “and” to the end of the subsection.
1975 c. 37.	The Nursing Homes Act 1975.	In Schedule 1, paragraphs 1 to 4.
1977 c. 45.	The Criminal Law Act 1977.	In Schedule 6, the entry relating to section 130(3) of the Mental Health Act 1959.
1977 c. 49.	The National Health Service Act 1977.	In section 105(3), the words “or the Mental Health Act 1959”. In Schedule 15, paragraphs 23, 26 to 28, 30, 31 and 33.
Chapter	Short title	Extent of repeal
1978 c. 29.	The National Health Service (Scotland) Act 1978.	In paragraph 10(b) of Schedule 15, the figure “102”.
1980 c. 5.	The Child Care Act 1980.	In Schedule 5, paragraphs 13 and 14.

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1980 c. 43.	The Magistrates' Courts Act 1980.	In Schedule 7, paragraphs 31 and 32.
1980 c. 53.	The Health Services Act 1980.	In Schedule 1, paragraph 13.
1981 c. 45.	The Forgery and Counterfeiting Act 1981.	Section 11(1).
1981 c. 54.	The [^{F1} Senior Courts] Act 1981.	Section 144.
1981 c. 61.	The British Nationality Act 1981.	<p>In Schedule 5, paragraphs 2 and 3 of the entry relating to the Mental Health Act 1959.</p> <p>In Schedule 6, paragraph 4.</p> <p>In section 39(7) the words "section 90 of the Mental Health Act 1959 and".</p>
1982 c. 51.	The Mental Health (Amendment) Act 1982.	<p>Sections 1 to 33.</p> <p>Sections 35 to 61.</p> <p>In section 63, subsection (1) and in subsection (2) the words from the beginning to "Act and".</p> <p>Section 64(1), (2), (3), (5) and (6).</p> <p>Section 66.</p> <p>Section 68(2) and (3).</p> <p>Section 69(2), (3), and (4).</p> <p>In section 70(2), the words "sections 35(1) and (2) and 64(6) above extend to Northern Ireland".</p> <p>Schedule 1.</p> <p>In Schedule 3, in Part I paragraphs 1 to 26, in paragraph 35 sub-paragraph (a), paragraphs 40, 42, 45 and 46, in paragraph 50 sub-paragraph (a), in paragraph 51 sub-paragraph (a), paragraphs 52 to 55, 57 and 58 and Part II.</p> <p>In Schedule 5, paragraphs 2 to 15.</p>

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Textual Amendments

- F1** Words in [Sch. 6](#) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 59, 148, [Sch. 11 para. 4](#); [S.I. 2009/1604](#), [art. 2\(d\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied by [1996 c. 46 Sch. 2 para. 9](#)(replacing [1968 c 20 s. 23](#)) (Act applied (prosp.) by [1968 c. 20, s. 23\(4\)](#) (as substituted (prosp.) by [1996 c. 46, ss. 8, 36\(2\), Sch. 2, para. 9](#) which said amending provision was repealed (31.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\), ss. 58\(2\), 60, Sch. 11; S.I. 2005/579, art. 3\(h\)\(i\)\(ix\)\)](#))
- Act applied by [1996 c. 46 Sch. 2 para. 4](#)(replacing [1957 c 53 s. 63](#)) (Act applied (prosp.) by [1957 c. 53, s. 63C\(6\)](#) (as substituted (prosp.) by [1996 c. 46, ss. 8, 36\(2\), Sch. 2, para. 4](#) which said amending provision was repealed (31.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\), ss. 58\(2\), 60, Sch. 11; S.I. 2005/579, art. 3\(h\)\(i\)\(ix\)\)](#))
- Act applied by [1996 c. 46 Sch. 2 para. 1](#)(replacing [1955 c 19 s. 116](#)) (Act applied (prosp.) by [1955 c. 19, s. 116C\(6\)](#) (as substituted (prosp.) by [1996 c. 46, ss. 8, 36\(2\), Sch. 2 para. 1](#) which said amending provision was repealed (31.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\), ss. 58\(2\), 60, Sch. 11; S.I. 2005/579, art. 3\(h\)\(i\)\(ix\)](#))
- Act applied by [1996 c. 46 Sch. 2 para. 1](#)(replacing [1955 c 18 s 116](#)) (Act applied (prosp.) by [1955 c. 18, s. 116C\(6\)](#) (as substituted (prosp.) by [1996 c. 46, ss. 8, 36\(2\), Sch. 2 para. 1](#) which said amending provision was repealed (31.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\), ss. 58\(2\), 60, Sch. 11; S.I. 2005/579, art. 3\(h\)\(i\)\(ix\)\)](#))
- Act power to applied by [1996 c. 46 Sch. 2 para. 4](#)(replacing [1957 c 53 s. 63](#)) (Act: Power to apply conferred (prosp.) by [1957 c. 53, s. 63B\(4\)\(c\)](#) (as substituted (prosp.) by [1996 c. 46, ss. 8, 36\(2\), Sch. 2, para. 4](#) which said amending provision was repealed (31.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\), ss. 58\(2\), 60, Sch. 11; S.I. 2005/579, art. 3\(h\)\(i\)\(ix\)\)](#))
- Act power to applied by [1996 c. 46 Sch. 2 para. 1](#)(replacing [1955 c 19 s. 116](#)) (Act: Power to apply conferred (prosp.) by [1955 c. 19, s. 116B\(4\)\(c\)](#) (as substituted (prosp.) by [1996 c. 46, ss. 8, 36\(2\), Sch. 2, para. 1](#) which said amending provision was repealed (31.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\), ss. 58\(2\), 60, Sch. 11; S.I. 2005/579, art. 3\(h\)\(i\)\(ix\)\)](#))
- Act power to applied by [1996 c. 46 Sch. 2 para. 1](#)(replacing [1955 c 18 s 116](#)) (Act: Power to apply conferred (prosp.) by [1955 c. 18, s. 116B\(4\)\(c\)](#) (as substituted (prosp.) by [1996 c. 46, ss. 8, 36\(2\), Sch. 2 para. 1](#) which said amending provision was repealed (31.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\), ss. 58\(2\), 60, Sch. 11; S.I. 2005/579, art. 3\(h\)\(i\)\(ix\)\)](#))

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 74(8) inserted by [2015 c. 2 Sch. 3 para. 3\(3\)](#)