



Mental Health Act 1983

1983 CHAPTER 20

PART VII

MANAGEMENT OF PROPERTY AND AFFAIRS OF PATIENTS

110 Reciprocal arrangements in relation to Scotland and Northern Ireland as to exercise of powers.

- (1) This Part of this Act shall apply in relation to the property and affairs in Scotland or Northern Ireland of a patient in relation to whom powers have been exercised under this Part of this Act, or a person as to whom powers are exercisable and have been exercised under section 98 above as it applies in relation to his property and affairs in England and Wales [^{F1}unless—
- [^{F1}(a) in Scotland, a^{F2} . . . judicial factor has been appointed for him; or
 - (b) in Northern Ireland, he is a patient in relation to whom powers have been exercised under Part VIII of the Mental Health (Northern Ireland) Order 1986, or a person as to whom powers are exercisable and have been exercised under Article 97(2) of that Order.]
- (2) Where under the law in force in Scotland . . . ^{F3} with respect to the property and affairs of persons suffering from mental disorder a^{F2} . . . judicial factor has been appointed for any person, the provisions of that law shall apply in relation to that person's property and affairs in England and Wales unless he is a patient in relation to whom powers have been exercised under this Part of this Act, or a person as to whom powers are exercisable and have been exercised under section 98 above.
- [^{F4}(2A) Part VIII of the Mental Health (Northern Ireland) Order 1986 shall apply in relation to the property and affairs in England and Wales of a patient in relation to whom powers have been exercised under that Part, or a person as to whom powers are exercisable and have been exercised under Article 97(2) of that Order as it applies in relation to his property and affairs in Northern Ireland unless he is a patient in relation to whom powers have been exercised under this Part of this Act, or a person as to whom powers are exercisable and have been exercised under section 98 above.]

Status: Point in time view as at 01/04/2002. This version of this provision has been superseded.

Changes to legislation: Mental Health Act 1983, Section 110 is up to date with all changes known to be in force on or before 11 April 2024. 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)

- (3) Nothing in this section shall affect any power to execute a will under section 96(1)(e) above [F5 or Article 99(1)(e) of the Mental Health (Northern Ireland) Order 1986] or the effect of any will executed in the exercise of such a power.
- (4) In this section references to property do not include references to land or interests in land but this subsection shall not prevent the receipt of rent or other income arising from land or interests in land.

Textual Amendments

- F1** S. 110(1)(a)(b) and word substituted by S.I. 1986/596, art. 2(17)
- F2** Words in s. 110(1)(2) repealed (S.) (1.4.2002) by 2000 asp 4, s. 88, Sch. 6; S.S.I. 2001/81, art. 3, Sch. 2
- F3** Words repealed by S.I. 1986/596, art. 2(18)
- F4** S. 110(2A) inserted by S.I. 1986/596, art. 2(19)
- F5** Words inserted by S.I. 1986/596, art. 2(20)

Status:

Point in time view as at 01/04/2002. This version of this provision has been superseded.

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