



Crime (Sentences) Act 1997

1997 CHAPTER 43

PART III

MISCELLANEOUS AND SUPPLEMENTAL

Mentally disordered offenders

49 Other amendments of the 1983 Act.

- (1) In subsection (5) of section 38 of the 1983 Act (interim hospital orders), for the words “six months” there shall be substituted the words “twelve months”.
- (2) In subsection (3) of section 41 of that Act (power of higher courts to restrict discharge from hospital), in paragraph (c)(ii), after the words “section 19 above” there shall be inserted the words “or in pursuance of subsection (3) of that section”.
- (3) In subsection (1) of section 47 of that Act (removal to hospital of persons serving sentences of imprisonment etc.), the words “(not being a mental nursing home)” shall cease to have effect.
- (4) In paragraph 5 of Part II of Schedule 1 to that Act (patients subject to hospital and guardianship orders)—
 - (a) the word “and” immediately following sub-paragraph (a) shall cease to have effect; and
 - (b) after sub-paragraph (b) there shall be inserted the words “and
 - (c) in subsection (3) after the words “may at any time” there shall be inserted the words “, with the consent of the Secretary of State,”.

Changes to legislation:

Crime (Sentences) Act 1997, Section 49 is up to date with all changes known to be in force on or before 19 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.

[View outstanding changes](#)

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

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

- s. 35(5)(c)s. 35(8)(a) by [2000 c. 43 Sch. 7 para. 139\(b\)](#)
- s. 8(5) by [2000 c. 43 Sch. 7 para. 143](#)