

SCHEDULES

SCHEDULE 4

AMENDMENTS RELATING TO NHS FOUNDATION TRUSTS

The Mental Health Act 1983 (c. 20)

50 The Mental Health Act 1983 is amended as follows.

Commencement Information

I1 Sch. 4 para. 50 in force at 1.4.2004 by S.I. 2004/759, art. 2

F151 .....

Textual Amendments

F1 Sch. 4 para. 51 repealed (3.11.2008) by Mental Health Act 2007 (c. 12), s. 56(1), Sch. 11 Pt. 3; S.I. 2008/1900, art. 2(p) (with art. 3, Sch.)

52 In section 19 (regulations as to transfer of patients), in subsection (3), after “National Health Service trust” (in both places) there is inserted “, NHS foundation trust ”.

Commencement Information

I2 Sch. 4 para. 52 in force at 1.4.2004 by S.I. 2004/759, art. 2

53 In section 23 (discharge of patients)—

F2(a) .....

(b) in subsection (4), after “trust” (in the first place it occurs) there is inserted “ (other than an NHS foundation trust) ”,

(c) after subsection (5), there is inserted—

“(6) The powers conferred by this section on any NHS foundation trust may be exercised by any three or more non-executive directors of the board of the trust authorised by the board in that behalf.”

Textual Amendments

F2 Sch. 4 para. 53(a) omitted (1.7.2012) by virtue of Health and Social Care Act 2012 (c. 7), ss. 39(4)(d), 306(4); S.I. 2012/1319, art. 2(3)

**Changes to legislation:** There are currently no known outstanding effects for the Health and Social Care (Community Health and Standards) Act 2003, Cross Heading: The Mental Health Act 1983 (c. 20). (See end of Document for details)

#### Commencement Information

**I3** Sch. 4 para. 53 in force at 1.4.2004 by [S.I. 2004/759](#), **art. 2**

<sup>F3</sup>54 . . . . .

#### Textual Amendments

**F3** Sch. 4 para. 54 omitted (1.7.2012) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 39(4)(d)**, 306(4); [S.I. 2012/1319](#), **art. 2(3)**

55 In section 32 (regulations for purposes of Part 2), in subsection (3), for “or National Health Service trusts” there is substituted “, National Health Service trusts or NHS foundation trusts”.

#### Commencement Information

**I4** Sch. 4 para. 55 in force at 1.4.2004 by [S.I. 2004/759](#), **art. 2**

56 In section 139 (protection for acts done in pursuance of this Act), in subsection (4), at the end there is inserted “ or NHS foundation trust”.

#### Commencement Information

**I5** Sch. 4 para. 56 in force at 1.4.2004 by [S.I. 2004/759](#), **art. 2**

57 In section 145 (interpretation), in subsection (1), after paragraph (bb) of the definition of “the managers” there is inserted—  
“(bc) in relation to a hospital vested in an NHS foundation trust, the trust;”.

#### Commencement Information

**I6** Sch. 4 para. 57 in force at 1.4.2004 by [S.I. 2004/759](#), **art. 2**

**Changes to legislation:**

There are currently no known outstanding effects for the Health and Social Care (Community Health and Standards) Act 2003, Cross Heading: The Mental Health Act 1983 (c. 20).