

## SCHEDULES

### SCHEDULE 3

#### SUPERVISED COMMUNITY TREATMENT: FURTHER AMENDMENTS TO 1983 ACT

##### *Orders appointing acting nearest relative*

- 13 In section 29 (appointment by court of acting nearest relative), in subsection (3)(d) omit the words “from hospital or guardianship”.
- 14 (1) Section 30 (discharge and variation of orders under section 29) is amended as follows.
- (2) In subsection (4), for paragraphs (a) and (b) substitute—
- “*(a)* if—
- (i) on the date of the order the patient was liable to be detained or subject to guardianship by virtue of a relevant application, order or direction; or
- (ii) he becomes so liable or subject within the period of three months beginning with that date; or
- (iii) he was a community patient on the date of the order, it shall cease to have effect when he is discharged under section 23 above or 72 below or the relevant application, order or direction otherwise ceases to have effect (except as a result of his being transferred in pursuance of regulations under section 19 above);
- (b) otherwise, it shall cease to have effect at the end of the period of three months beginning with the date of the order.”
- (3) After subsection (4) insert—
- “(4A) In subsection (4) above, reference to a relevant application, order or direction is to any of the following—
- (a) an application for admission for treatment;
- (b) a guardianship application;
- (c) an order or direction under Part 3 of this Act (other than under section 35, 36 or 38).”

**Changes to legislation:**

There are currently no known outstanding effects for the Mental Health Act 2007, Cross  
Heading: Orders appointing acting nearest relative.