



# Mental Health Act 2007

## 2007 CHAPTER 12

### PART 1

#### AMENDMENTS TO MENTAL HEALTH ACT 1983

### CHAPTER 6

#### CROSS-BORDER PATIENTS

#### **39 Cross-border arrangements**

(1) At the end of section 17 of the 1983 Act (leave of absence) insert—

“(6) Subsection (7) below applies to a person who is granted leave by or by virtue of a provision—

- (a) in force in Scotland, Northern Ireland, any of the Channel Islands or the Isle of Man; and
- (b) corresponding to subsection (1) above.

(7) For the purpose of giving effect to a direction or condition imposed by virtue of a provision corresponding to subsection (3) above, the person may be conveyed to a place in, or kept in custody or detained at a place of safety in, England and Wales by a person authorised in that behalf by the direction or condition.”

(2) Schedule 5 (which contains amendments to Part 6 of the 1983 Act and related amendments) has effect.

#### **Commencement Information**

- II** [S. 39](#) not in force at Royal Assent see [s. 56\(1\)](#); [s. 39\(1\)\(2\)](#) in force for specified purposes for E.W. at 1.10.2007 by [S.I. 2007/2798, art. 2\(c\)](#); [s. 39\(2\)](#) in force for specified purposes at 1.4.2008 by [S.I. 2008/745, art. 3\(f\)](#); [s. 39](#) in force for specified purposes insofar as not already in force for E.W. at

---

**Changes to legislation:** There are currently no known outstanding effects for the Mental Health Act 2007, Section 39. (See end of Document for details)

---

28.10.2008 by [S.I. 2008/2788](#), art. 2(a); s. 39(1)(2) in force for specified purposes insofar as not already in force at 3.11.2008 by [S.I. 2008/1900](#), arts. 1(1), **2(n)** (with art. 3, Sch.)

**Changes to legislation:**

There are currently no known outstanding effects for the Mental Health Act 2007, Section 39.