

1994 No. 349

MENTAL HEALTH

The Mental Health (Nurses, Guardianship, Consent to Treatment and Prescribed Forms) (Amendment) Regulations (Northern Ireland) 1994

Made 8th September 1994

Coming into operation 1st November 1994

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 7(3) and Article 135(1) of the Mental Health (Northern Ireland) Order 1986(a), and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Mental Health (Nurses, Guardianship, Consent to Treatment and Prescribed Forms) (Amendment) Regulations (Northern Ireland) 1994 and shall come into operation on 1st November 1994.

(2) In these regulations,

“the principal regulations” means the Mental Health (Nurses, Guardianship, Consent to Treatment and Prescribed Forms) Regulations (Northern Ireland) 1986(b).

Amendment of regulation 3 of the principal regulations

2. For the existing regulation 3 there shall be substituted:

“For the purposes of Article 7(3) (power to detain patient in hospital for maximum of 6 hours), a nurse of the prescribed class shall be a nurse registered in Part 3 (first level nurses trained in the nursing of persons suffering from mental illness), Part 5 (first level nurses trained in the nursing of persons suffering from mental handicap), Part 13 (nurses qualified following a course of preparation in mental health nursing) or Part 14 (nurses qualified following a course of preparation in mental handicap nursing) of the register prepared and maintained under section 10 of the Nurses, Midwives and Health Visitors Act 1979(c) (the professional register).”

(a) S.I. 1986/595 (N.I. 4)

(b) S.R. 1986 No. 174, the relevant amending rule is S.R. 1994 No. 65

(c) 1979 c. 36; for the parts of the register *see* S.I. 1983/667, the relevant amending rule is S.I. 1989/1455

Amendment of Schedule to the principal regulations

3. In the Schedule to the principal regulations, for Form 6 there shall be substituted Form 6 in the Schedule.

Sealed with the Official Seal of the Department of Health and Social Services on 8th September 1994.

(L.S.)

Maura McCann

Assistant Secretary

FORM 6

MENTAL HEALTH (NORTHERN IRELAND) ORDER 1986
Article 7(3)

NURSE'S RECORD IN RESPECT OF HOSPITAL IN-PATIENT NOT LIABLE TO BE DETAINED

To [name and address of responsible authority].

[Full name of patient] is receiving treatment for mental disorder as an in-patient in [name of hospital], but is not liable to be detained there under the Mental Health (Northern Ireland) Order 1986.

It appears to me—

- (a) that an application for assessment ought to be made in respect of this patient;
AND
- (b) that it is not practicable to secure the immediate attendance of a medical practitioner for the purpose of furnishing a report under Article 7(2) of the Order.

I am [full name of nurse], a nurse registered—

- *(a) in Part 3 (first level nurse trained in the nursing of persons suffering from mental illness)
- *(b) in Part 5 (first level nurse trained in the nursing of persons suffering from mental handicap)
- *(c) in Part 13 (nurse qualified following a course of preparation in mental health nursing)
- *(d) in Part 14 (nurse qualified following a course of preparation in mental handicap nursing)

of the professional register.

*(Delete if not applicable)

Signed

Date

Time

(This note is not part of the Regulations.)

These regulations amend the Mental Health (Nurses, Guardianship, Consent to Treatment and Prescribed Forms) Regulations (Northern Ireland) 1986 by adding two further categories of nurse to the prescribed class for the purposes of Article 7(3) of the Mental Health (Northern Ireland) Order 1986, as nurses on the basis of whose written record in prescribed Form 6, a patient who is receiving treatment for a mental disorder as an in-patient in hospital may be detained for up to 6 hours.

These regulations also substitute a new Form 6 prescribed in the Schedule to the 1986 regulations. This new form is required because of the addition of the two further categories of nurse.