

## 1994 No. 66

**HEALTH AND PERSONAL SOCIAL SERVICES****The Health and Social Services Trusts (Consequential Amendments No. 2) Regulations (Northern Ireland) 1994**

*Made* . . . . . 1st March 1994

*Coming into operation* . . . . . 1st April 1994

*To be laid before Parliament under paragraph 3(3) of  
Schedule 1 to the Northern Ireland Act 1974*

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 3(11) of the Health and Personal Social Services (Northern Ireland) Order 1994(a) and of all other powers enabling it in that behalf, hereby makes the following Regulations:

*Citation and commencement*

1.—(1) These Regulations may be cited as the Health and Social Services Trusts (Consequential Amendments No. 2) Regulations (Northern Ireland) 1994.

(2) These Regulations shall come into operation on 1st April 1994, immediately after the commencement of the amendments to the Mental Health (Northern Ireland) Order 1986(b) contained in Schedule 1 to the Health and Personal Social Services (Northern Ireland) Order 1994.

*Amendment of the Mental Health (Northern Ireland) Order 1986*

2. The Mental Health (Northern Ireland) Order 1986 shall be amended as follows—

- (a) in Article 2(2A), after the words “Articles 7A,” there shall be added “29,”;
- (b) in Article 29(4), after the words “Article 7(2) or (3)” there shall be added “, Article 7A(2)”;
- (c) in Article 62(2)(a), after the words “Article 7(2) or (3)” there shall be added “, 7A(2)”.

Sealed with the Official Seal of the Department of Health and Social Services on 1st March 1994.

(L.S.)

*John McGrath*

Assistant Secretary

(a) S.I. 1994/429 (N.I. 2)

(b) S.I. 1986/595 (N.I. 4); as amended by S.I. 1994/429 (N.I. 2)

## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations amend the Mental Health (Northern Ireland) Order 1986 as a consequence of the delegation, by virtue of an authorisation under Article 3(1) of the Health and Personal Social Services (Northern Ireland) Order 1994 (S.I. 1994/429 (N.I. 2) (the "1994 Order"), of certain Health and Social Services Board functions to Health and Social Services trusts.

The amendments will ensure that the provisions of the Mental Health (Northern Ireland) Order 1986 relating to—

- (a) the taking into custody of patients who are absent without leave; and
- (b) consent to treatment,

apply also to patients detained, pending application for assessment, in a hospital managed by an HSS trust which has not had functions delegated to it under the 1994 Order, in the same way as they apply to patients detained in a hospital managed by an authorised HSS trust.