



Mental Health (Amendment) Act 1982

1982 CHAPTER 51

PART II

COMPULSORY ADMISSION TO HOSPITAL AND GUARDIANSHIP

Reception into guardianship

7 Guardianship applications

- (1) Section 33 of the principal Act (application for guardianship) shall be amended as follows.
- (2) In subsection (1) for the words " A patient may be received into guardianship" there shall be substituted the words " A patient who has attained the age of sixteen years may be received into guardianship ".
- (3) In subsection (2)(a) (guardianship application on grounds of mental disorder, being, in the case of a patient of any age, mental illness or severe subnormality or, in the case of a patient under the age of twenty-one years, psychopathic disorder or sub-normality) for sub-paragraphs (i) and (ii) there shall be substituted the words " mental illness, severe mental impairment, psychopathic disorder or mental impairment ".
- (4) In subsection (2)(b) (guardianship necessary in the interests of the patient) for the words " the interests of the patient" there shall be substituted the words " the interests of the welfare of the patient ".

8 Effect of guardianship applications

In section 34(1) of the principal Act (under which the effect of a guardianship application when duly accepted is to confer on the guardian all such powers as would be exercisable if the guardian were the father of the patient and the patient were under the age of fourteen years) for the words from " all such powers " onwards there shall be substituted the words " the following powers, that is to say—

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- (a) power to require the patient to reside at a place specified by the authority or person named as guardian ;
- (b) power to require the patient to attend at places and times so specified for the purpose of medical treatment, occupation, education or training ;
- (c) power to require access to the patient to be given, at any place where the patient is residing, to any registered medical practitioner, mental welfare officer or other person so specified."