

## SCHEDULES

### SCHEDULE 2

#### APPROVED MENTAL HEALTH PROFESSIONALS: FURTHER AMENDMENTS TO 1983 ACT

- 4 (1) Section 11 (general provisions as to applications) is amended as follows.
- (2) In subsection (1), for “approved social worker” substitute “ approved mental health professional ”.
- (3) In subsection (3), for “approved social worker, that social worker” substitute “ approved mental health professional, that professional ”.
- (4) For subsection (4) substitute—
- “(4) An approved mental health professional may not make an application for admission for treatment or a guardianship application in respect of a patient in either of the following cases—
- (a) the nearest relative of the patient has notified that professional, or the local social services authority on whose behalf the professional is acting, that he objects to the application being made; or
- (b) that professional has not consulted the person (if any) appearing to be the nearest relative of the patient, but the requirement to consult that person does not apply if it appears to the professional that in the circumstances such consultation is not reasonably practicable or would involve unreasonable delay.”

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#### Commencement Information

- II** Sch. 2 para. 4 not in force at Royal Assent see s. 56(1); Sch. 2 para. 4 in force for E. at 3.11.2008 by S.I. 2008/1900, art. 2(d); Sch. 2 para. 4 in force insofar as not already in force for W. at 3.11.2008 by S.I. 2008/2561, art. 2(b)

**Changes to legislation:**

There are currently no known outstanding effects for the Mental Health Act 2007, Paragraph 4.