
 S T A T U T O R Y I N S T R U M E N T S

1975 No. 1337

MENTAL HEALTH

**The Mental Health (Hospital and Guardianship)
Amendment Regulations 1975**

<i>Made - - - -</i>	<i>8th August 1975</i>
<i>Laid before Parliament</i>	<i>11th August 1975</i>
<i>Coming into Operation</i>	<i>1st September 1975</i>

The Secretary of State for Social Services in exercise of the powers conferred upon her by section 56 of the Mental Health Act 1959(a), and of all other powers enabling her in that behalf, hereby makes the following regulations:—

Citation and commencement

1.—(1) These regulations may be cited as the Mental Health (Hospital and Guardianship) Amendment Regulations 1975 and shall come into operation on 1st September 1975.

(2) These regulations shall be read as one with the Mental Health (Hospital and Guardianship) Regulations 1960(b) as amended (c), (hereinafter referred to as “the principal regulations”).

Amendment of the Schedule to the principal regulations

2. For Form 9A and Form 10A in the Schedule to the principal regulations there shall be substituted the Form 9A and the Form 10A set out in the Schedule to these regulations.

Barbara Castle,
Secretary of State for Social Services.

8th August 1975.

(a) 1959 c. 72. (b) S.I. 1960/1241 (1960 II, p. 1903).
(c) The relevant amending instruments are S.I. 1962/1593, 1974/241 (1962 II, p. 1858; 1974 I, p. 793).

SCHEDULE

FORM 9A

RECLASSIFICATION OF PATIENT DETAINED IN A HOSPITAL OR MENTAL NURSING HOME (Section 38)

To the Managers of [name of hospital or mental nursing home in which the patient is detained]

1. I hereby report, for the purposes of section 38 of the Mental Health Act 1959, that in my opinion [name of patient] who is recorded on the authority for his detention as suffering from [original classification as amended by any previous reclassification] is now suffering from*

* Insert mental illness, severe subnormality, subnormality and/or psychopathic disorder.

† Where patient is reclassified above as suffering from subnormality and/or psychopathic disorder only and is detained under section 26 (1)(a)(i), 60(2), 73(2)(e) or 76(2)(b) of the Act.

2.† Before making this report I have considered whether the patient, if released, would be likely to act in a manner dangerous to other persons or to himself and, in my opinion, he would be likely so to act.

Signed Responsible Medical Officer

Date

To be completed on behalf of the Managers

This report was received by me on behalf of the Manager on [date]

(The following statement is to be deleted if the patient is under 16 years of age)

The patient (‡and his nearest relative) was informed of this report (§including the statement in paragraph 2) on [date]

‡ Delete if no known nearest relative.

§ Delete unless paragraph 2 above is completed.

Signed On behalf of the Managers

Date

[Section 4 of the Act and section 1(1)(a) and (4) of the Mental Health (Amendment) Act 1975(a) to be set out.]

FORM 10A

RENEWAL OF AUTHORITY FOR DETENTION IN A HOSPITAL OR MENTAL NURSING HOME

(Section 43 or Paragraph 11 of the Sixth Schedule)

To the Managers of [name of hospital or mental nursing home in which patient is liable to be detained]

Insert mental illness, severe abnormality, subnormality and/or psychopathic disorder.

1. I examined [name of patient] on [date of examination] and hereby report that I am of the opinion that this patient is suffering from*

and that it is necessary

Delete (i) or (ii) unless both apply.

** (i) in the interests of the patient's health or safety;

** (ii) for the protection of other persons,

that the patient should continue to be liable to be detained under the Mental Health Act 1959 beyond [date on which authority for detention is due to expire if not renewed]

2. The reasons why this patient cannot suitably remain in hospital informally or be discharged from hospital are:—

To be completed where the detention of a patient suffering from psychopathic disorder and/or subnormality only has been continued by virtue of section 1(1) of the Mental Health (Amendment) Act 1959 (a) or by virtue of section 1(1) of the Mental Health Act 1959.

3. † Before making this report I have considered whether the patient, if released, would be likely to act in a manner dangerous to other persons or to himself and, in my opinion, he would be likely so to act.

Signed Responsible Medical Officer

Date

(The following is not part of the renewal of the authority, but is to be completed on behalf of the Managers of the Hospital or mental nursing home)

This report has been considered by the managers persons authorised to act on behalf of the managers

to order

Delete if the patient is under 16 years of age or if the managers order the patient's discharge.

who have decided not to order that the patient be discharged. ‡ The patient has been informed of the receipt of this report (§including the statement in paragraph 2) on [date]

Delete unless paragraph 2 above is completed.

Signed on behalf of the Managers

Date

[Section 1(1) and (3) of the Mental Health (Amendment) Act 1975(a) to be set out]

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend two forms in the Schedule to the Mental Health (Hospital and Guardianship) Regulations 1960 so that the forms comply with the provisions of the Mental Health (Amendment) Act 1975.

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