
STATUTORY INSTRUMENTS

1998 No. 2624

MENTAL HEALTH

**The Mental Health (Hospital, Guardianship and
Consent to Treatment) Amendment Regulations 1998**

Made - - - - 26th October 1998
Laid before Parliament 27th October 1998
Coming into force - - 17th November 1998

The Secretary of State for Health, in exercise of powers conferred on him by section 32(1) and (2) (a) of the Mental Health Act 1983(1) and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Mental Health (Hospital, Guardianship and Consent to Treatment) Amendment Regulations 1998 and shall come into force on 17th November 1998.

Amendment of the Mental Health (Hospital, Guardianship and Consent to Treatment) Regulations 1983

2.—(1) In the Mental Health (Hospital, Guardianship and Consent to Treatment) Regulations 1983(2), in Schedule 1, form 13 (record for the purposes of the Mental Health Act 1983, section 5(4)) is amended in accordance with the following paragraphs of this regulation.

(2) After the second paragraph lettered (a), insert—

“OR

(aa) in Part 4 (second level nurse trained in the nursing of persons suffering from mental illness (England and Wales));”

(3) After the second paragraph lettered (b), insert—

“OR

(bb) in Part 6 (second level nurse trained in the nursing of persons suffering from learning disabilities (England and Wales));”

(4) In each of—

(1) 1983 c. 20.

(2) S.I.1983/893; the relevant amending instrument is S.I. 1993/2156.

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(a) the second paragraph lettered (b); and
(b) paragraph (d)(3),
for “mental handicap” substitute “learning disabilities”.

26th October 1998

Frank Dobson
One of Her Majesty's Principal Secretaries of
State,
Department of Health

(3) Paragraph (d) was added by S.I. [1993/2156](#).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend form 13 in the Mental Health (Hospital, Guardianship and Consent to Treatment) Regulations 1983, which records compulsory detention of a patient receiving treatment for mental disorder by a nurse, under section 5(4) of the Mental Health Act 1983. The amendments reflect a change to the name by which “mental handicap nursing” is known, to “learning disabilities nursing”, and a consequent change to the description of certain nurses in the register of qualified nurses, midwives and health visitors, under the Nurses, Midwives and Health Visitors (Miscellaneous Amendments) Order 1998. They also reflect an extension of the categories of nurse who are prescribed for the purposes of section 5(4), under the Mental Health (Nurses) Order 1998. These Regulations impose no costs on business.