

---

WELSH STATUTORY INSTRUMENTS

---

**2008 No. 2439**

**The Mental Health (Hospital, Guardianship, Community Treatment and Consent to Treatment) (Wales) Regulations 2008**

**PART 8**

Consent to Treatment

**Forms of treatment under Part 4 of the Act**

**38.**—(1) For the purposes of section 57 (treatment requiring consent and a second opinion) the form of treatment to which that section applies, in addition to the treatment mentioned in subsection (1)(a) of that section (any surgical operation for destroying brain tissue or for destroying the functioning of brain tissue), is the surgical implantation of hormones for the purpose of reducing male sexual drive.

(2) For the purposes of section 58A (electro-convulsive therapy, etc.) the form of treatment to which that section applies, in addition to the administration of electro-convulsive therapy mentioned in subsection (1)(a) of that section, is the administration of medicines as part of that therapy.

(3) Section 58A does not apply to treatment by way of the administration of medicines as part of electro-convulsive therapy where that treatment falls within section 62(1)(a) or (b) of the Act (treatment immediately necessary to save the patient's life or to prevent a serious deterioration in his or her condition).

**Forms of treatment under Part 4A of the Act**

**39.** For the purposes of Part 4A of the Act (treatment of community patients not recalled to hospital) —

- (a) treatment of a patient to whom section 64B(3)(b) or section 64E(3)(b) (which set out when treatment under Part 4A of the Act may be given to adult and child community patients respectively) applies may include treatment by way of the administration of medicines as part of electro-convulsive therapy but only where that treatment falls within section 64C(5) (a) or (b);
- (b) treatment of a patient to whom section 64G (emergency treatment for community patients lacking capacity or competence) applies may include treatment by way of medicines used in connection with electro-convulsive therapy but only where that treatment falls within section 64C(5)(a) or (b).

**Certificates for administration of treatment**

**40.**—(1) The certificate required under sections 57(2)(a) and (b) (treatment requiring consent and a second opinion) must be in the form set out in Form CO 1.

(2) The certificates required under sections 58(3)(a) and (b) (treatment requiring consent or a second opinion) must be in the form set out in Forms CO 2 and CO 3 respectively.

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

(3) The certificates required under sections 58A(3)(c), (4)(c) and (5) (electro-convulsive therapy, etc.) must be in the form set out in Forms CO 4, CO 5 and CO 6 respectively.

(4) The certificate required under sections 64B(2)(b) or 64E(2)(b) (treatment of community patients) must be in the form set out in Form CO 7.