
STATUTORY INSTRUMENTS

1986 No. 595

The Mental Health (Northern Ireland) Order 1986

PART II

COMPULSORY ADMISSION TO HOSPITAL AND GUARDIANSHIP

Provisions relating to patients subject to detention or guardianship

Duty of [F1 authority] to give information to patients and nearest relatives

27.—(1) The responsible[F1 authority] shall, in relation to a patient detained in a hospital or subject to guardianship under this Part, take such steps as are practicable to ensure that the patient understands—

- (a) under which of the provisions of this Order he is for the time being detained or subject to guardianship and the effect of that provision; and
- (b) what rights of applying to the Review Tribunal are available to him in respect of his detention or guardianship under that provision;

and those steps shall be taken as soon as practicable after the commencement of the patient's detention under the provision in question or the commencement or renewal of the authority for his guardianship.

(2) The responsible[F1 authority] shall also take such steps as are practicable to ensure—

- (a) that a patient detained in a hospital or subject to guardianship under this Part understands—
 - (i) the effect, so far as relevant in his case, of Articles 14, 24 and 71(4); and
 - (ii) that he may make representations to [F2RQIA] ;
- (b) that a patient detained in a hospital under this Part understands the effect, so far as relevant in his case, of Articles 16, 17 and 111 and Part IV;
- (c) that the nearest relative of a patient detained in a hospital or subject to guardianship under this Part is furnished with a written statement of his rights and powers under this Order;

and those steps shall be taken as soon as practicable after the commencement of the patient's detention or his reception into guardianship.

(3) The steps to be taken under paragraphs (1) and (2)(a) and (b) shall include giving the requisite information both orally and in writing.

(4) The responsible[F1 authority] shall take such steps as are practicable to ensure that where a patient ceases to be liable to be detained in hospital or subject to guardianship under this Part the patient, his nearest relative and, in the case of a patient subject under this Part to the guardianship of a person other than[F1 the responsible authority], the guardian of the patient are informed of that fact as soon as practicable after he so ceases.

(5) The responsible[F1 authority] shall, except where the patient otherwise requests, take such steps as are practicable to furnish his nearest relative with a copy of any information given to the

Changes to legislation: The Mental Health (Northern Ireland) Order 1986, Section 27 is up to date with all changes known to be in force on or before 11 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

patient in writing under paragraphs (1) and (2); and those steps shall be taken when the information is given to the patient or within a reasonable time thereafter.

- F1** 1994 NI 2
- F2** Words in Order substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\)](#), ss. 32, 34(3), **Sch. 6 para. 8(1)** (subject to [Sch. 6 para. 8\(2\)-\(4\)](#)); S.R. 2009/114, **art. 2**

Modifications etc. (not altering text)

- C1** [Art. 27](#) applied (with modifications.) (31.3.2013) by [Mental Health \(Private Hospitals\) Regulations \(Northern Ireland\) 2013 \(S.R. 2013/22\)](#), regs. 1, **3(3)(o)**, 4
- C2** [Art. 27](#) applied (with modifications) (31.3.2013) by [Mental Health \(Private Hospitals\) Regulations \(Northern Ireland\) 2012 \(S.R. 2012/403\)](#), regs. 1, **3(3)(o)-(x)**, 4

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Changes and effects yet to be applied to :

- art. 27(1) words repealed by [2016 c. 18 \(N.I.\) Sch. 8 para. 13\(2\)\(a\)](#)Sch. 11
- art. 27(1) words repealed by [2016 c. 18 \(N.I.\) Sch. 8 para. 13\(2\)\(c\)](#)Sch. 11
- art. 27(1)(b) words repealed by [2016 c. 18 \(N.I.\) Sch. 8 para. 13\(2\)\(b\)](#)Sch. 11
- art. 27(2) words repealed by [2016 c. 18 \(N.I.\) Sch. 8 para. 13\(3\)\(a\)](#)
- art. 27(2)(a)(i) word repealed by [2016 c. 18 \(N.I.\) Sch. 8 para. 13\(3\)\(b\)](#)Sch. 11
- art. 27(2)(a)(i) words repealed by [2016 c. 18 \(N.I.\) Sch. 8 para. 13\(3\)\(c\)](#)
- art. 27(4) words repealed by [2016 c. 18 \(N.I.\) Sch. 8 para. 13\(4\)\(a\)](#)Sch. 11
- art. 27(4) words repealed by [2016 c. 18 \(N.I.\) Sch. 8 para. 13\(4\)\(c\)](#)Sch. 11
- art. 27(4) words substituted by [2016 c. 18 \(N.I.\) Sch. 8 para. 13\(4\)\(b\)](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 5 Pt. 2 repealed in part by [S.I. 2003/435 \(N.I.\) Sch. 5](#) (text not available on [Legislation.gov.uk](#))
- Sch.05 Pt. 1 rev. in pt. by [1995 c. 35 s. 29\(2\)](#)Sch. 3
- Sch. 5 Pt. 2 rev. in pt. by [1998 c. 47 s. 100\(2\)](#)Sch. 15
- art. 14A inserted by [2016 c. 18 \(N.I.\) Sch. 8 para. 10](#)
- art. 36(2)(za) inserted by [2016 c. 18 \(N.I.\) Sch. 8 para. 22\(3\)](#)
- art. 36(3)(e) and word inserted by [2016 c. 18 \(N.I.\) Sch. 8 para. 22\(4\)\(d\)](#)
- art. 37(1)(za) inserted by [2016 c. 18 \(N.I.\) Sch. 8 para. 23\(2\)\(a\)](#)
- art. 37(1A) inserted by [2016 c. 18 \(N.I.\) Sch. 8 para. 23\(3\)](#)
- art. 52 rev. by [1996 c. 46 s. 35\(2\)](#)Sch.7 Pt. 3
- art.52 rev. (DrosD,) by [1996 c. 46 s. 35\(2\)](#)Sch.7 Pt.III
- art. 63A63B inserted by [2016 c. 18 \(N.I.\) Sch. 8 para. 31](#)
- art. 67(2A) inserted by [2016 c. 18 \(N.I.\) Sch. 8 para. 35\(4\)](#)
- art. 83(4A) inserted by [2016 c. 18 \(N.I.\) Sch. 8 para. 48\(4\)](#)
- art. 120(4) inserted by [2016 c. 18 \(N.I.\) Sch. 8 para. 59\(4\)](#)
- art. 133(2A) inserted by [2016 c. 18 \(N.I.\) Sch. 8 para. 68\(4\)](#)