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STATUTORY INSTRUMENTS

1986 No. 595 (N.I. 4)

The Mental Health (Northern Ireland) Order 1986

- - - - 26th March 1986

THE MENTAL HEALTH (NORTHERN IRELAND) ORDER 1986

PART I

INTRODUCTORY

1. Title and commencement

Interpretation of Order

2. Interpretation
3. Definition of “mental disorder” and related expressions

General provisions about patients under 16

- 3A Best interests of patient under 16
- 3B Determination of a patient's best interests
- 3C Independent Advocates
- 3D In-patients under 16: duties of hospital managers

PART II

COMPULSORY ADMISSION TO HOSPITAL AND GUARDIANSHIP

Admission to hospital for assessment

4. *Admission for assessment*
5. Person who may make application for assessment
6. General provisions as to medical recommendation
7. Application for assessment in respect of patient already in hospital
- 7A Power to detain in hospital pending admission to another hospital
8. *Effect of application for assessment*
9. The assessment period
10. *Disregard of assessment period for certain purposes*
11. Rectification of applications, recommendations and reports

Detention in hospital for treatment

12. Detention for treatment

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13. *Renewal of authority for detention*
14. *Discharge of patient from detention*
15. *Leave of absence from hospital*
16. *Correspondence of detained patients*
17. *Review of decision to withhold postal packet*

Guardianship

18. *Reception of patients into guardianship*
19. *Person who may make guardianship application*
20. *General provisions as to medical recommendations*
21. *Rectification of guardianship applications and recommendations*
22. *Effect of guardianship application*
23. *Renewal of authority for guardianship*
24. *Discharge of patient from guardianship*
25. *Transfer of guardianship on death, incapacity, etc. of guardian*
26. *Regulations as to guardianship*

Provisions relating to patients subject to detention or guardianship

27. *Duty of authority to give information to patients and nearest relatives*
28. *Transfer of patients*
29. *Return and readmission of patients absent without leave*
30. *Special provisions as to patients absent without leave*
31. *Special provisions as to patients sentenced to imprisonment, etc.*

Functions of nearest relative of patient

32. *Definition of "nearest relative"*
33. *Children and young persons in care*
34. *Minors under guardianship, etc.*
35. *Assignment of functions by nearest relative*
36. *Appointment by county court of acting nearest relative*
37. *Discharge and variation of orders under Article 36*
38. *Procedure on application to county court*

Miscellaneous

39. *Special provisions as to wards of court*
40. *Duty of approved social worker to make application for assessment or guardianship*
41. *Applications, recommendations and reports under Part II*

PART III

PATIENTS CONCERNED IN CRIMINAL PROCEEDINGS OR UNDER SENTENCE

Remands to hospital

42. *Remand to hospital for report on accused's mental condition*
43. *Remand to hospital for treatment*

Hospital and guardianship orders

44. *Powers of courts to order hospital admission or guardianship*
45. *Interim hospital orders*
46. *Effect of hospital orders, guardianship orders and interim hospital orders*

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Restriction orders

- 47. Powers of court to restrict discharge from hospital
- 48. *Powers of Secretary of State in respect of patients subject to restriction orders*

Procedure during trial on indictment

- 49. Procedure in relation to unfitness to be tried
- 49A Finding that the accused did the act or made the omission charged against him
- 50. Procedure in relation to finding of insanity

Appeals

- 50A Powers to deal with persons not guilty by reason of insanity or unfit to be tried, etc.
- 51. *Appeals*
Art. 52 rep. by 1996 c. 46

Transfer to hospital of prisoners, etc.

- 53. Removal to hospital of persons serving sentences of imprisonment, etc.
- 54. Removal to hospital of other prisoners
- 55. *Restriction on discharge of prisoners removed to hospital*
- 56. *Further provisions as to prisoners under sentence*
- 57. Further provisions as to detained persons
- 58. *Further provisions as to persons remanded by magistrates' courts*
- 59. *Further provisions as to civil prisoners and persons detained under the Immigration Act 1971*

Supplementary

- 60. *Requirements as to written evidence*
- 61. *Interpretation of Part III*

PART IV

CONSENT TO TREATMENT

- 62. *Patients to whom the provisions of this Part apply*
- 63. *Treatment requiring consent and a second opinion*
- 64. Treatment requiring consent or a second opinion
- 65. *Plans of treatment*
- 66. *Withdrawal of consent*
- 67. *Review of treatment*
- 68. *Urgent treatment*
- 69. *Treatment not requiring consent*

PART V

THE REVIEW TRIBUNAL

Constitution

- 70. Constitution of the Review Tribunal

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Applications and references concerning Part II patients

71. Applications to the tribunal under Part II
72. References of cases of Part II patients to the tribunal
73. Duty on Boards to refer cases to the tribunal

Applications and references concerning Part III patients

74. Applications and references to the tribunal concerning patients subject to hospital and guardianship orders, other than restricted patients
75. Applications to the tribunal concerning restricted patients
76. References by Secretary of State concerning restricted patients

Discharge of patients

77. Power to discharge patients other than restricted patients
78. Power to discharge restricted patients subject to restriction orders
79. Powers in relation to restricted patients subject to restriction directions
80. Applications and references concerning conditionally discharged restricted patients

General

81. Visiting and examination of patients
82. Applications to the tribunal
83. Procedure of tribunal
84. Interpretation of Part V

PART VI

THE MENTAL HEALTH COMMISSION FOR NORTHERN IRELAND

85. Duties of RQIA in relation to mental health
86. *Functions of RQIA*
87. *Exercise of functions of RQIA*
88. *Financial provisions*
89. *Accounts and audit*

PART VII

REGISTRATION OF PRIVATE HOSPITALS

90. *Registration of private hospitals*
91. *Application for, and grant of, certificate of registration*
92. *Certificates of registration*
93. *Control of private hospitals*
94. *Cancellation of registration*
95. *Application of this Order to private hospitals*
96. *Offences under Part VII*

PART VIII

MANAGEMENT OF PROPERTY AND AFFAIRS OF PATIENTS

97. *Jurisdiction of High Court in relation to property and affairs of patients*
98. *General powers of the court with respect to property and affairs of patient*
99. *Orders, directions, etc of the court as to patient's property and affairs*
100. *Supplementary provisions as to wills executed under Article 99*

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101. *Power to appoint controller*
102. *Transfer of stock held in name of mentally disordered person outside Northern Ireland*
103. *Preservation of interests in patient's property*
104. *The Lord Chief Justice's Visitors*
105. *Functions of Visitors*
106. *Rules of court*
107. *Duty to notify Office of Care and Protection*
108. *Procedure for notifications under Article 107*
109. *Interpretation of Part VIII*

PART IX

MISCELLANEOUS FUNCTIONS OF DEPARTMENT AND BOARDS

110. *Provision of special accommodation by Department*
111. *Code of Practice*
112. *General duty of Boards*
113. *Miscellaneous powers of Boards*
114. *Payments to medical practitioners by Boards*
115. *Appointment of approved social workers by Boards*
116. *Powers of Boards in relation to property of patients*
117. *Duty of Boards to inform nearest relative of discharge of patient*
118. *Provision of information and affording of facilities to other bodies by Department and Boards*

PART X

OFFENCES

119. *Forgery, false statements, etc.*
120. *Unlawful detention of patients*
121. *Ill-treatment of patients*
122. *Protection of women suffering from severe mental handicap*
123. *Protection of patients*
124. *Assisting patients to absent themselves without leave*
125. *Obstruction*
126. *Consent for certain prosecutions*

PART XI

MISCELLANEOUS AND SUPPLEMENTARY

Miscellaneous

127. *Voluntary use of services*
128. *Pay, pensions, etc. of patients*
129. *Warrant to search for and remove patients*
130. *Mentally disordered persons found in public places*
131. *Provisions as to custody, conveyance and detention*
132. *Retaking of patients escaping from custody*
133. *Protection for acts done in pursuance of this Order*
134. *Patients removed to or from Northern Ireland*
Art. 134A rep. by 1994 NI 2

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Supplementary

- 135. Regulations and rules
- 136. Amendments
- 137. Transitional provisions
- Art. 138—Repeals

SCHEDULES

SCHEDULE 1 — PERSONS BY WHOM A MEDICAL RECOMMENDATION OR MEDICAL REPORT UNDER ARTICLE 12 MAY NOT BE GIVEN

- 1. The applicant or a partner of, or person employed as an assistant by, the applicant.
- 2. A person who receives, or has an interest in the receipt of, any payments made
- 3. The spouse,
- 4. A person who is living with the patient as if he or she were the
- 5. A person with whom the patient ordinarily resides (or, if the patient is for the

SCHEDULE 2 — APPLICATION OF PART II TO PATIENTS DETAINED OR SUBJECT TO GUARDIANSHIP UNDER PART III

PART I — PATIENTS NOT SUBJECT TO SPECIAL RESTRICTIONS

- 1. Articles 15, 16, 17, 25, 26, 27, 30, 31, 32, 33, 34, 35 and 38
- 2. Articles 12, 13, 14, 22, 23, 24, 28, 29, 36 and 37 shall apply in
- 3. In Article 12—
- 4. In Article 13—
- 5. In Article 14 there shall be omitted—
- 6. In Article 22—
- 7. In Article 23—
- 8. In Article 24 there shall be omitted—
- 9. In Article 28—
- 10. In Article 29 paragraph (4) shall be omitted.
- 11. In Article 36(3) sub-paragraphs (c) and (d) shall be omitted.
- 12. In Article 37(4) for sub-paragraphs (a) and (b) there shall be substituted the words

PART II — PATIENTS SUBJECT TO SPECIAL RESTRICTIONS

- 1. Articles 16, 17, 27, 32, 33, 35 and 38 shall apply in relation to the
- 2. Articles 12(4), 15, 28, 29, 34, 36 and 37 shall apply in relation to the
- 3. In Article 12(4) for the words from “report furnished” to the end there shall be
- 4. In Article 15—
- 5. In Article 28—
- 6. In Article 29 paragraphs (2) and (3) and (4) and the words “subject to paragraphs
- 7. In Article 34 paragraph (3) shall be omitted.
- 8. In Article 36(3) sub-paragraphs (c) and (d) shall be omitted.
- 9. In Article 37(4) for sub-paragraphs (a) and (b) there shall be substituted the words

SCHEDULE 2A — SUPERVISION AND TREATMENT ORDERS

PART I — PRELIMINARY

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1. In this Schedule “supervision and treatment order” means an order requiring the person in respect

PART II — MAKING AND EFFECT OF ORDERS

Circumstances in which orders may be made

2. The court shall not make a supervision and treatment order unless it is satisfied—

Making of orders and general requirements

3. A supervision and treatment order shall either—

Obligatory requirements as to medical treatment

4. A supervision and treatment order shall include a requirement that the supervised person shall submit,

Optional requirements as to residence

5. Subject to sub-paragraphs (2) and (3), a supervision and treatment order may include requirements as

PART III — REVOCATION AND AMENDMENT OF ORDERS

Revocation of order in interests of health or welfare

6. Where a supervision and treatment order is in force in respect of any person and,

Amendment of order by reason of change of residence.

7. This paragraph applies where—

Amendment of requirements of order

8. Without prejudice to the provisions of paragraph 7, but subject to sub-paragraph (2), a court

Amendment of requirements in pursuance of medical report

9. Where the medical practitioner by whom or under whose direction the supervised person is being

Supplemental

10. On the making under paragraph 6 of an order revoking a supervision and treatment order,
11. On the making under paragraph 7 or 8 of an order amending a supervision and

SCHEDULE 3 — THE REVIEW TRIBUNAL

1. The Review Tribunal shall consist of—
 - 1A The Lord Chief Justice may nominate any of the following to exercise his functions under
2. The members of the Review Tribunal shall hold and vacate office under the terms of

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3. One of the legal members of the Review Tribunal shall be appointed by the
4. Subject to sub-paragraph (2)
5. The chairman of the Review Tribunal shall appoint the members who are to constitute the
6. Subject to any rules made by the Lord Chancellor under Article 83(4), where the chairman
7. In any proceedings which are to be heard and determined by the Review Tribunal constituted

SCHEDULE 4 —

Status

1. The Commission shall be a body corporate to which, subject to the provisions of this

Membership

2. The Commission shall consist of—

Tenure of office

3. Every member of the Commission—

Remuneration

4. The Commission may—

Disqualification of members of Commission for Northern Ireland Assembly

5. In Part II of Schedule 1 to the

Proceedings

6. Subject to the provisions of this Schedule, the meetings and proceedings of the Commission, and

Staff and accommodation

7. The Commission may—

Reports

8. The Commission shall publish a report on its activities in such form and at such

The seal

9. The application of the seal of the Commission shall be authenticated by the signature of

Execution of contracts and instruments not under seal

10. Any contract or instrument which, if entered into or executed by an individual, would not

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Para. 11 rep. by 1996

Para. 11 rep. by 1996

— Schedule 5—Amendments

SCHEDULE 6 — TRANSITIONAL PROVISIONS

1. Where, apart from this paragraph, anything done under or for the purposes of any statutory
2. Where any period of time specified in any statutory provision repealed by this Order is
3. This paragraph applies where immediately before the appointed day an application for the admission of
4. This paragraph applies where immediately before the appointed day a patient is detained in hospital
5. This paragraph applies where immediately before the appointed day a patient is detained in hospital
6. This paragraph applies where immediately before the appointed day a patient is detained in hospital
7. This paragraph applies where immediately before the appointed day a patient is detained in hospital
8. This paragraph applies where immediately before the appointed day a patient is detained in hospital
9. Where on the appointed day a person who has not attained the age of 16
10. This paragraph applies where immediately before the appointed day a patient is subject to guardianship
11. Sections 20 and 22(5) of the 1961 Act shall continue to apply in relation to
12. In the case of a patient who is detained or subject to guardianship on the
13. Where at any time before the appointed day an application to the Review Tribunal has
14. Subject to sub-paragraphs (2) and (3), this Order applies to a patient who immediately before
15. Paragraph (3) of Article 64 shall not apply to any treatment given to a patient
16. A patient—
17. Article 73 applies only in relation to a renewal of authority for detention after the
18. Any reference to the Review Tribunal under section 54(6) of the 1961 Act in respect
19.
20. The responsible Board shall as soon as practicable after the appointed day send to
21. Where immediately before the appointed day any person's estate was subject to the jurisdiction of
22. Any order or appointment made, direction or authority given, or thing done under the
23. Any person who immediately before the appointed day was the committee of the estate of
24. Any person who immediately before the appointed day was the committee of the person in
25. Article 103(1) shall apply in relation to any disposal of property (within the meaning of

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26. Until the coming into operation of Article 115 for references in this Order and any
27. References to applications, recommendations, reports and other documents in Article 119 shall include those to
28. References in Article 133 to the acts to which that Article applies shall include those
29. Article 134(5) shall not apply in relation to a patient removed from Northern Ireland before
30. The chairman, deputy chairman and other members of the Review Tribunal appointed under Schedule 3
Para. 31 rep. by 1987
32. The Department may by order subject to negative resolution make such other transitional provision as
33. In this Schedule—

— Schedule 7—Repeals

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