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Certificates — Fees

REGULATIONS, DATED 13TH OCTOBER, 1950, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER THE MENTAL HEALTH ACT (NORTHERN IRELAND), 1948.

1950. No. 178

The Ministry of Health and Local Government for Northern Ireland, in exercise of the powers conferred on it by sections sixty-one and one hundred of the Mental Health Act (Northern Ireland), 1948 and of all other powers enabling it in that behalf, hereby makes the following regulations :—

1.—(1) These Regulations may be cited as the Mental Health (Fees for Medical Certificates) Regulations (Northern Ireland), 1950 and shall be deemed to have come into force on the 1st day of January, 1950.

(2) The Interpretation Act, 1921, applies to the interpretation of these Regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

(3) In these Regulations, unless the context otherwise requires, the following expressions have the respective meanings hereby assigned to them :—

" the Act " means the Mental Health Act (Northern Ireland), 1948;

" the Authority " means the Northern Ireland Hospitals Authority;

" general medical services " means the services provided under arrangements made by the Northern Ireland General Health Services Board referred to in sub-section (1) of section six of the Health Services Act (Northern Ireland), 1948 ;

" health service temporary patient " or " health service certified patient " means a patient the whole cost of whose maintenance and treatment in a mental hospital will be defrayed out of monies provided by parliament under the Health Services Acts (Northern Ireland), 1948 ;

" medical practitioner " means a registered medical practitioner ;

" the Ministry " means the Ministry of Health and Local Government ;

" private temporary patient " or " private certified patient " means a patient who undertakes, or on whose behalf an undertaking is given, to pay such charges as may be prescribed under paragraph (*g*) of sub-section (2) of section twenty-nine of the Health Services Act (Northern Ireland), 1948 ;

" the Schedule " means the Schedule to these Regulations.

2.—(1) A medical practitioner, other than an officer of the Authority, who furnishes

(*a*) a recommendation under section seven of the Act, accompanying an application, in respect of any person who is admitted to a mental hospital as a health service temporary patient, or

(*b*) a medical certificate under section nine of the Act, accompanying a petition, for a judicial order authorising the treatment of a person in a mental hospital as a health service certified patient,

shall receive from the Authority a fee of one guinea in respect of the said recommendation or medical certificate.

(2) The fee under this Regulation shall be payable upon a certificate of the resident medical superintendent of the mental hospital in the Form F.1 in the Schedule.

(3) No fee shall be payable by the Authority in respect of any such recommendation or medical certificate as is referred to in paragraph (1) of this Regulation given in respect of any person who is admitted to a mental hospital as a private temporary patient or who receives treatment in a mental hospital as a private certified patient.

3.—(1) A medical practitioner who visits and examines a person, alleged to be suffering from mental illness, in pursuance of an order of a judicial authority under section sixteen of the Act shall receive in respect of the examination carried out and the medical certificate furnished under that section

(*a*) a fee of one guinea, if he is the medical practitioner providing general medical services for the person ; or

(*b*) a fee of two guineas, if he is not the medical practitioner providing general medical services for that person.

(2) The fees under this regulation shall be payable by the Authority upon a certificate of the judicial authority in the Form F.2 in the Schedule.

4.—(1) A medical practitioner, whose name is included in the list maintained by the Ministry under the provisions of section thirty-three of the Act, shall receive in respect of an examination carried out, and the medical certificate furnished, under that section a fee of three guineas.

(2) The fee under this Regulation shall be payable by the Authority upon a certificate of the judicial authority in the Form F.3 in the Schedule.

5. No fee shall be payable in respect of a recommendation given under

(*a*) sub-section (1) (*b*) of section 5 of the Act ;

(*b*) sub-section (1) (*c*) (ii) of section 6 of the Act.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this thirteenth day of October, 1950, in the presence of

(L.S.) *J. E. Pittaway*,
Assistant Secretary.