Section 7
Regulation 31

FORM M.T. 37

MENTAL HEALTH ACT (NORTHERN IRELAND), 1948

ESCORT CERTIFICATE (Temporary Patient)

I, ...
of .....
a registered medical practitioner, having signed the medical recommendation in accordance with FORM M.T. 8 of the Mental Health (No. 1) Regulations, 1948, in respect of*.....
of .....
hereby certify that I am satisfied that a police escort is required for ensuring the safe conveyance of the said.....to the.....hospital.

Signed.....

Medical Qualifications.....

Dated this.....day of.....19.....

* Name and address of patient.

NOTE.—The certificate should be handed to the officer or constable of the Royal Ulster Constabulary who arranges for the escort.

THE MENTAL HEALTH (NO. 2) REGULATIONS (NORTHERN IRELAND), 1948, DATED THE TWENTY-EIGHTH DAY OF DECEMBER, 1948, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT FOR NORTHERN IRELAND UNDER THE MENTAL HEALTH ACT (NORTHERN IRELAND), 1948, AND THE HEALTH SERVICES ACT (NORTHERN IRELAND), 1948.

1948. No. 327

The Ministry of Health and Local Government, in exercise of the powers conferred on it by the Mental Health Act (Northern Ireland), 1948, and by the Health Services Act (Northern Ireland), 1948, hereby makes the following Regulations.

PART I — GENERAL

Short Title. **1.** These regulations may be cited as the Mental Health (No. 2) Regulations (Northern Ireland), 1948.

Parts. **2.** These regulations are divided into ten parts namely —

PART I — General
PART II — Prescribed Forms
PART III — Supervision
PART IV — Guardianship
PART V — Transfer of Patients
PART VI — Institutions
PART VII — Absence on Licence and Leave
PART VIII — Police Escorts
PART IX — Medical Examinations
PART X — Miscellaneous Provisions

Interpretation.

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

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

(*b*) " the Authority " means the Northern Ireland Hospitals Authority ;

(*c*) " management committee " has the meaning assigned to it by sub-section (2) of section 28 of the Health Services Act (Northern Ireland), 1948, and includes the Mental Health Services Committee or any special committee appointed by the Mental Health Services Committee for the purpose of managing an institution ;

(*d*) " medical inspector " means a medical inspector appointed under section 43 of the Act ;

(*e*) " the Ministry " means the Ministry of Health and Local Government ;

(*f*) " patient " means a person who has been ascertained to be a person requiring special care within the meaning of the Act ;

(*g*) " resident medical superintendent " has the meaning assigned to it by section 105 of the Act and includes the medical officer who has charge of an institution whether residing in that institution or otherwise ;

(*h*) " treatment authorisation " has the meaning assigned to it by section 105 of the Act.

(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) Any reference in these Regulations to a form set out in the Schedule to these Regulations shall be deemed to include a reference to a form substantially corresponding thereto.

Records and Notices.

4. Where under any provision of these Regulations the duty of making entries in records or of sending notices is imposed on the resident medical superintendent, such duty may be performed by some other person delegated by the resident medical superintendent with the approval of the management committee.

Date of operation.

5. These Regulations shall come into operation on the 1st January, 1949.

Officers.

6. Regulations made under section 57 of the Health Services Act (Northern Ireland), 1948 (which relates to officers) shall have effect for the purposes of the Act as they have effect for the purposes of the first mentioned Act.

Delegation of Authority's functions.

7. The functions of the Authority under sections 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 38, 39, 40, 52, 54, 59, 65 and 66 of the Act in relation to persons suffering from arrested or incomplete development of mind and under these Regulations may be performed by any officer of the Authority authorised in writing by the Chairman or Secretary of the Authority, and such authorisation may be made in respect of all or any of the aforementioned functions.

Transmission of treatment authorisation.

8. Where a person has been declared to be a person requiring special care in the form of supervision or guardianship, a copy of the relevant treatment authorisation shall be transmitted by the Authority to the person in whose charge the patient remains or is placed.

Medical reports and certificates.

9. An affirmative report for the purposes of section 27 of the Act may be deemed to be a certificate for the purposes of section 32 of the Act.

Penalty for breach of Regulations.

10. The penalty for a breach of any of the foregoing Regulations shall be a fine not exceeding £50 or imprisonment for a term not exceeding three months, or both such fine and such imprisonment.

PART II — PRESCRIBED FORMS

Notice to Authority.

11.—(1) The notice to the Authority under section 23 of the Act shall be in the form S.C. 1 in the Schedule.

Notice requiring submission for medical examination.

(2) The notice by the Authority requiring a person to submit himself for medical examination shall be in the form S.C. 2 in the Schedule.

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(3) The notice by the Authority requiring a parent or guardian to submit a person in their charge for medical examination shall be in the form S.C. 2A in the Schedule.

Medical Report.

(4) The medical report shall be in the form S.C. 3 in the Schedule.

Statement of Particulars

(5) The statement of particulars shall be in the form S.C. 4 in the Schedule.

Form of Consent to special care.

(6) The form of consent to special care shall be in the form S.C. 5 in the Schedule.

Notice of intention to apply for a Judicial Order.

(7) The notice by the Authority to a person over 21 years of age of intention to apply for a judicial order shall be in the form S.C. 6 in the Schedule.

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(8) The notice by the Authority to a parent or guardian of intention to apply for a judicial order shall be in the form S.C. 6A in the Schedule.

Petition for Judicial Order.

(9) The petition by a duly authorised officer of the Authority for a judicial order shall be in the form S.C 7 in the Schedule.

Petition to replace a defective order.

(10) The petition by a duly authorised officer of the Authority to replace a previous judicial order which has been found to be defective or based on a defective certificate shall be in the form S.C .7A in the Schedule.

(11) The statutory declaration shall be in the form S.C. 8 in the Schedule. Statutory Declaration.

(12) The judicial order shall be in the form S.C. 9 in the Schedule. Judicial Order.

(13) The notice of reception under supervision, guardianship and in an institution shall be respectively in the forms S.C. 10, S.C. 10A and S.C. 10B in the Schedule. Notice of Reception.

(14) The medical statement shall be in the form S.C. 11 in the Schedule. Medical statement.

(15) The consent of a judicial authority to the appointment of a guardian of a different religious persuasion to the patient shall be in the form S.C. 12 in the Schedule. Form of consent to appointment of guardian of a different religious persuasion.

(16) The special report and certificate shall be in the form S.C. 13 in the Schedule. Special Report and Certificate.

(17) The order by the Ministry continuing a treatment authorisation shall be in the form S.C. 14 in the Schedule. Order extending treatment authorisation

(18) The notice of discharge shall be in the form S.C. 15 in the Schedule. Notice of Discharge.

(19) The notice of unauthorised absence shall be in the form S.C. 16 in the Schedule. Notice of unauthorised absence.

(20) The notice of return of a patient shall be in the form S.C. 17 in the Schedule. Notice of return of patient.

(21) The notice of transfer shall be in the form S.C. 18 in the Schedule. Notice of transfer.

(22) The notices of death shall be in the forms S.C. 19 and S.C. 19A in the Schedule. Notice of death.

(23) The escort certificate shall be in the form S.C. 20 in the Schedule. Escort certificate.

(24) The medical certificate to accompany a patient on transfer shall be in the form S.C. 21 in the Schedule. Medical certificate on transfer.

(25) The warrant of a judicial authority authorising an officer or constable of police to search for a person alleged to be suffering from arrested or incomplete development of mind and cruelly treated or neglected shall be in the form S.C. 22 in the Schedule. Search Warrant.

(26) The notice of return of a patient temporarily removed or transferred from an institution shall be in the form S.C. 23 in the Schedule. Notice of return of patient.

PART III — SUPERVISION

Definition of "parent" for Part III of these Regulations.

12. In this Part of these Regulations the expression "parent" in relation to a patient under the age of 21 shall include any person having charge of the patient, and "patient" means a patient under supervision.

Powers and duties of parents.

13. A person who has care of a patient shall, in the exercise of the powers conferred on him by the Act or these Regulations, be subject to the direction of the Authority.

Visitation.

14. The medical inspector or other officer or person designated by the Ministry or the Authority may without notice visit a patient as often and at such times as he thinks fit.

15. The medical inspector or any medical officer of the Authority authorised in that behalf may at any time examine any patient.

16. The Authority shall cause every patient to be visited :—

(1) at least once in each calendar year by a medical practitioner possessing the qualifications set out in Regulation 63 of these Regulations who shall make a report in writing to the Authority on the physical and mental condition of the patient and make any other observations that he may think necessary ; and

(2) at such intervals as the Authority may think necessary by such other person or persons as the Authority may authorise, and such persons shall in respect of each visit furnish a report to the Authority on the welfare, progress and circumstances of the patient.

Change of residence.

17. Where a patient changes his residence he (or his parent if the patient is under 21) shall, within seven days, notify his new address to the Authority, and the Authority shall forthwith notify the Ministry accordingly.

Furnishing of information.

18. The parent of a patient shall give such information to the Authority or the Ministry in reference to the patient as the Authority or the Ministry may from time to time require.

Provision of medical and dental services.

19.—(1) The parent of a patient shall make arrangements for securing the provision of personal medical and dental services for the patient whether under the Health Services Act (Northern Ireland), 1948, or otherwise.

Attendance at instruction centres.

(2) The parent of a patient shall, if so required by the Authority, arrange for the attendance of the patient at any course of training or instruction which the Authority may deem suitable.

Variation of special care.

20. If a patient becomes or is found to be unsuitable for supervision the parent or other person in charge of the patient shall give immediate notice of the circumstances to the Authority and the Authority shall