and seven of the Mental Health Act (Northern Ireland), 1948, (hereinafter called " the Act ") and all other powers enabling it in that behalf, hereby orders as follows :—

1.—(1) This Order may be cited as the Mental Health (Appointed day) (No. 3) Order (Northern Ireland), 1948.

(2) The Interpretation Act, 1921, shall apply for the purpose of the interpretation of this Order in like manner as it applies for the interpretation of an Act of the Parliament of Northern Ireland.

2. The provisions of the Act specified in the Schedule hereto shall come into operation on the first day of January, 1949.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this fourteenth day of December, One thousand nine hundred and forty-eight, in the presence of :—

(L.S.) *Thos. Elwood,*
Assistant Secretary.

SCHEDULE

PROVISIONS OF THE ACT TO BE BROUGHT INTO OPERATION.

PART I	—	Section 2.
PART II	—	Sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18.
PART III	—	Sections 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41.
PART IV	—	Sections 48, 49, 50, 51, 53, 54, 55, 56, 57, 58, 59, 60, 61, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 74, 75.
PART VI	—	Sections 83, 84, 85, 86, 87, 88, 89, 91, 93, 94, 95, 96.
PART VIII	—	Sections 104, 106.
SECOND SCHEDULE	—	Parts I and II.
THIRD SCHEDULE	—	The reference to the Fifth Schedule of the Health Services Act (Northern Ireland), 1948, in so far as it relates to the Mental Treatment Act (Northern Ireland), 1932.
FOURTH SCHEDULE	—	Parts I and II.

Mental Health

THE MENTAL HEALTH (NO. 1) REGULATIONS (NORTHERN IRELAND), 1948, DATED THE 14TH 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. 322

The Ministry of Health and Local Government for Northern Ireland in exercise of the powers conferred on it by the Mental Health Act

(Northern Ireland), 1948 and the Health Services Act (Northern Ireland) 1948, hereby makes the following Regulations.

GENERAL

Short title.

1. These Regulations may be cited as the Mental Health (No. 1) Regulations (Northern Ireland), 1948.

Interpretation.

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

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

(*b*) " the Ministry " means the Ministry of Health and Local Government for Northern Ireland.

(*c*) " the Authority " means the Northern Ireland Hospitals Authority.

(*d*) " management committee " has the meaning assigned to it by sub-section (2) of section twenty-eight of the Health Services Act (Northern Ireland) 1948.

(*e*) " visiting committee " means a committee appointed under section 51 of the Act.

(*f*) " medical inspector " means the medical inspector appointed under section 43 of the Act.

(*g*) " resident medical superintendent " means the resident medical superintendent of a mental hospital and includes the medical officer acting for him in his absence as superintendent of the hospital.

(*h*) " voluntary patient " has the meaning assigned to it by sub-section 1 of section 6 of the Act.

(*i*) " temporary patient " has the meaning assigned to it by sub-section 1 of section 7 of the Act.

(*j*) " certified patient " has the meaning assigned to it by section 12 of the Act.

(*k*) " criminal lunatic " has the meaning assigned to it by section 9 of the Criminal Lunatics Act (Northern Ireland) 1929.

(*l*) " addict " has the meaning assigned to it by section 105 of the Act.

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

(2) 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.

(3) 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. These Regulations shall come into operation on the first day of January, 1949, and the following Orders and Regulations shall thereupon cease to have effect. Date of operation of Regulations and Repeals.

(*a*) the Asylum Books and Records Order, 1900 ;
(*b*) the Asylum Books and Records (Amending) Order, 1902 ;
(*c*) the Expenses of Criminal Lunatics Calculations Order 1902 ;
(*d*) so much of the Public Bodies Order, 1904, as relates to Mental Hospitals ;
(*e*) the Asylum Books and Records (Second Amending) Order, 1910 ;
(*f*) so much of the Public Bodies Order, 1918, as relates to Mental Hospitals ;
(*g*) the Asylum Books and Records (Third Amending) Order, 1924 ; and
(*h*) the Mental Treatment Regulations (Northern Ireland), 1934.

4.—(1) 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. Officers.

(2) The Authority shall issue to every medical officer appointed to a mental hospital a copy of these Regulations.

Movement of Patients

Admission, Discharge, Transfer, etc.

5. A person lodging an application for treatment as a voluntary patient or a temporary patient shall lodge with it a statement of particulars in the form referred to in the next Regulation. Statement of particulars.

6. The several forms to be prescribed under sections 5 to 16 of the Act shall be in the form set out in the Schedule to these Regulations as follows :— Prescribed forms for admission, etc.

Prescribed Form	No. in Schedule
Voluntary Patients	
(*a*) Application for admission as a voluntary patient of a person over 16 years of age.	M.T.1
(*b*) Application for admission as a voluntary patient in respect of a person under 16 years of age.	M.T.2
(*c*) Statement of particulars to be lodged with the foregoing forms.	M.T.3
(*d*) Notice requiring a voluntary patient to leave or be removed from a mental hospital.	M.T.4
(*e*) Notice of intention by (or on behalf of) a voluntary patient to leave (or be removed from) the hospital.	M.T.5

Temporary patients

(*a*) Application for admission as a temporary patient or as an addict. M.T.6

(*b*) Statement of particulars to be lodged with the foregoing form. M.T.7

(*c*) Recommendation to accompany the application for admission. M.T.8

(*d*) Application by temporary patient to be regraded to the voluntary status. M.T.9

(*e*) Application for extension of period of treatment of temporary patient. M.T.10

(*f*) Petition by a welfare officer to a judicial authority for temporary treatment of a person removed to a place of safety. M.T.11

(*g*) Medical certificate to accompany forms M.T.11 and M.T.14. M.T.12

(*h*) Judicial order for treatment as a temporary patient under section 15 of the Act. M.T.13

(*i*) Judicial order for treatment as a temporary patient under section 16 of the Act. M.T.13A

(*j*) Order of judicial authority to a medical practitioner to visit a person suffering from mental illness and cruelly treated or neglected. M.T.14

Certified Patients

(*a*) Petition to judicial authority for certification. M.T.11A

(*b*) Statement of particulars to be lodged with the foregoing form. M.T.7

(*c*) Medical certificate to be lodged with petition for certification. M.T.12A

(*d*) Judicial order for treatment as a certified patient. M.T.13B

(*e*) Special report and certificate under Section 14 of the Act. M.T.15

Application for extension of temporary treatment.

7. Where it is desired to extend the period of treatment of a temporary patient the resident medical superintendent shall transmit to the Ministry the necessary application in the form referred to in Regulation 6 not more than one month nor less than 21 days before the expiration of the current period of treatment.

Continuation of judicial orders.

8. Where the resident medical superintendent has sent a special report and certificate to the Ministry for the purpose of the continuation of a judicial order under section 14 of the Act he shall give to the Ministry such further information concerning the patient to whom the special report and certificate relates as the Ministry may require.

9. The application for the discharge of a patient from a mental hospital before recovery shall be in the form M.T. 16 in the Schedule. Application for discharge of patient before recovery Form M.T. 16.

10 The certificate of the resident medical superintendent against the discharge of a patient before recovery shall be in the form M.T.17 in the Schedule. Form M.T. 17.

11. Subject to the provisions of Regulation 33 of these Regulations a patient transferred under a warrant of the Governor of Northern Ireland to a mental hospital from one of His Majesty's prisons shall not be discharged from the mental hospital without a conditional or absolute warrant of discharge of the said Governor. Patients transferred from Prison.

12. A patient discharged from a mental hospital before recovery shall be given into the charge of the relative or friend who applies for his discharge or into the charge of some responsible person authorised by the applicant to receive him. The relative or friend or responsible person authorised by the applicant shall attend at the mental hospital to receive the patient. Patients discharged before recovery.

13. Where a patient is to be discharged from a mental hospital the resident medical superintendent may, if he thinks fit, authorise the payment out of hospital funds of the expenses of the journey to the patient's home or other destination, and also the expenses of the nurses (if any) who accompany him. Expenses of patients on discharge.

14. The following procedure shall be observed for the transfer of a patient from one mental hospital to another in pursuance of the provisions of section 55 of the Act :— Transfer of patients between Hospitals.

(1) The resident medical superintendent of the mental hospital transferring the patient shall send with the patient—

(*a*) the treatment authorisation and the original documents on which the treatment authorisation was based and shall retain copies thereof ;

(*b*) a medical certificate in the form M.T.18 in the Schedule dated not more than seven days prior to the date of transfer ; and Form M.T. 18.

(*c*) a copy of or extracts from the patient's clinical record.

(2) The resident medical superintendent of the mental hospital receiving the transferred patient shall receive and retain the documents sent under paragraph (1) of this Regulation.

15. Where the resident medical superintendent of a mental hospital finds that the mental condition of a person receiving mental treatment under Part II of the Act is such that he ought to be dealt with under Part III of the Act, the resident medical superintendent shall notify the Authority forthwith and the Authority shall forthwith take the appropriate steps under the Act to ascertain whether he is a person requiring special care as defined in section 19 of the Act. Persons in mental hospitals "requiring special care."