1986 No. 107 (C. 1)

MENTAL HEALTH

The Mental Health (1986 Order) (Commencement No. 1) Order (Northern Ireland) 1986

Made . . . . . 21st April 1986

The Department of Health and Social Services, in exercise of the powers conferred by Article 1(2) of the Mental Health (Northern Ireland) Order 1986(**a**) and paragraph 2(1) of Schedule 1 to the Northern Ireland Act 1974(**b**) and of all other powers enabling it in that behalf, hereby makes the following order:

Citation and interpretation

1.—(1) This order may be cited as the Mental Health (1986 Order) (Commencement No. 1) Order (Northern Ireland) 1986.

(2) In this order "the Order" means the Mental Health (Northern Ireland) Order 1986.

Days appointed for the coming into operation of certain provisions or Parts of the Order

2. The day appointed for the coming into operation of each provision or Part of the Order which is specified in column (1) of the Schedule to this order is the date specified in column (3) of that Schedule in relation to that provision or Part.

Day appointed for the coming into operation of the Mental Health (Northern Ireland Consequential Amendments) Order 1986

3. The day appointed for the coming into operation of the provisions of the Mental Health (Northern Ireland Consequential Amendments) Order 1986(**c**) shall be 31st July 1986.

Sealed with the Official Seal of the Department of Health and Social Services on 21st April 1986.

(L.S.) *Zelma I. Davies*
Under Secretary

(**a**) S.I. 1986/595 (N.I. 4)
(**b**) 1974 c. 28
(**c**) S.I. 1986/596

SCHEDULE Article 2

Provision or Part of the Order (1)	*Subject Matter* (2)	*Date of Coming into Operation* (3)
Article 1	Title and commencement	1st May 1986
Article 2(1) and (2)	Interpretation	1st May 1986
Article 2(3) and (4)	Interpretation	31st July 1986
Article 3	Definition of "mental disorder" and related expressions	1st May 1986
Part II	COMPULSORY ADMISSION TO HOSPITAL AND GUARDIANSHIP	31st July 1986
Part III	PATIENTS CONCERNED IN CRIMINAL PROCEEDINGS OR UNDER SENTENCE	31st July 1986
Part IV	CONSENT TO TREATMENT	31st July 1986
Part V	THE MENTAL HEALTH REVIEW TRIBUNAL FOR NORTHERN IRELAND	31st July 1986
Article 85(1) and (3)	Establishment of Mental Health Commission for Northern Ireland	1st May 1986
Article 85(2)	Establishment of Mental Health Commission for Northern Ireland	31st July 1986
Article 86	Functions of the Commission	31st July 1986
Article 87	Exercise of functions of the Commission	31st July 1986
Article 88	Financial provisions	1st May 1986
Article 89	Accounts and audit	1st May 1986
Part VIII	MANAGEMENT OF PROPERTY AND AFFAIRS OF PATIENTS	31st July 1986
Article 110	Provision of special accommodation by Department	31st July 1986
Article 112	General duty of Boards	31st July 1986
Article 113	Miscellaneous powers of Boards	31st July 1986
Article 114	Payments to medical practitioners by Boards	31st July 1986
Article 117	Duty of Boards to inform nearest relative of discharge of patient	31st July 1986
Article 118	Provision of information and affording of facilities to other bodies by Department and Boards	31st July 1986
Part X	OFFENCES	31st July 1986
Article 127	Voluntary use of services	31st July 1986
Article 128	Pay, pensions, etc. of patients	31st July 1986
Article 129	Warrant to search for and remove patients	31st July 1986
Article 130	Mentally disordered persons found in public places	31st July 1986

Provision or Part of the Order (1)	*Subject Matter* (2)	*Date of Coming into Operation* (3)
Article 131	Provisions as to custody, conveyance and detention	31st July 1986
Article 132	Retaking of patients escaping from custody	31st July 1986
Article 133	Protection for acts done in pursuance of the Order	31st July 1986
Article 134	Patients removed to or from Northern Ireland	31st July 1986
Article 135	Regulations and rules	1st May 1986
Article 136	Amendments	31st July 1986
Article 137	Transitional provisions	31st July 1986
Article 138	Repeals	31st July 1986
Schedule 1	Persons by whom a Medical Recommendation or Medical Report under Article 12 may not be given	31st July 1986
Schedule 2	Application of Part II to patients detained or subject to guardianship under Part III	31st July 1986
Schedule 3	The Mental Health Review Tribunal for Northern Ireland	31st July 1986
Schedule 4 (except paragraph 8(1))	The Mental Health Commission for Northern Ireland	1st May 1986
Schedule 5	Amendments	31st July 1986
Schedule 6	Transitional Provisions	31st July 1986
Schedule 7	Repeals	31st July 1986

EXPLANATORY NOTE

(This note is not part of the Order.)

This order brings into operation the majority of provisions in the Mental Health (Northern Ireland) Order 1986 which provides for the detention, guardianship, care and treatment of patients suffering from mental disorder and for the management of the property and affairs of such patients. Those provisions relating to the establishment, membership and constitution of the Mental Health Commission come into operation on 1st May 1986. The remaining provisions, except those relating to the registration of private hospitals (Part VII), the code of practice (Article 111), the appointment of approved social workers (Article 115), the powers of Health and Social Services Boards to receive and hold property on behalf of patients (Article 116) and the Mental Health Commission's duty to publish periodic reports (paragraph 8(1) of Schedule 4), come into operation on 31st July 1986.

The order also brings into operation on 31st July 1986 the provisions of the Mental Health (Northern Ireland Consequential Amendments) Order 1986 which makes amendments to the law in England and Wales, Scotland or the United Kingdom as a whole which are consequential on the Mental Health (Northern Ireland) Order 1986.