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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations apply certain provisions of the Mental Health (Northern Ireland) Order 1986, “the 1986 Order”, to private hospitals, which do not automatically apply, with modifications and adaptations. In addition to the application of the provisions above, the Department has also adapted certain provisions of the Order to provide extra safeguards to patients detained in private hospitals. The Regulations provide that, in relation to detention for assessment or treatment and renewal of such detention, a supporting opinion is obtained from a medical practitioner, appointed for that purpose by RQIA, and who is not on the staff of the private hospital in which the patient is being detained is obtained.

The Department has not applied the provisions of the Order which relate to guardianship, nor any provision of Part III of the Order which relates to patients concerned in criminal proceedings or under sentence.