

SCHEDULES

SCHEDULE 1

Authorisation by panel of certain serious interventions

Part 4

Decision on application

Specifying community residence requirement

18.—(1) This paragraph applies where an authorisation under paragraph 15 authorises the imposition on P of a community residence requirement.

(2) A community residence requirement which is in accordance with the authorisation may (subject to the provisions of this Act) be imposed on P by the HSC trust to which the application under this Schedule was made (“the trust”).

(3) The authorisation must specify, in accordance with the following provisions of this paragraph, the terms of the community residence requirement that may be imposed by the trust under the authorisation.

(4) The authorisation must provide either—

- (a) that the trust may require P to live at a place specified by the authorisation;
or
- (b) that the trust may require P to live at such place as may be specified by the trust.

(5) The authorisation may include either or both of the following provisions—

- (a) provision that if the trust imposes the requirement authorised under sub-paragraph (4), the trust may also require P to allow a healthcare professional specified by the trust access to P, at reasonable times required by that professional, at a place where P is living;
- (b) provision that if the trust imposes the requirement authorised under sub-paragraph (4), the trust may also require P to attend at particular places and times or intervals for the purpose of training, education, occupation or treatment.

(6) Where by virtue of sub-paragraph (5)(b) the authorisation includes provision authorising a requirement for P to attend at a particular place at particular times or intervals, the authorisation—

- (a) may either specify the place or authorise it to be such place as the trust may specify; and
 - (b) may either specify the times or intervals or authorise them to be such times or intervals as the trust may specify.
- (7) In this paragraph—
- “healthcare professional” means a person of a description prescribed under section 31(3);
 - “treatment” is to be read in accordance with section 31(4).