
STATUTORY INSTRUMENTS

1986 No. 595

The Mental Health (Northern Ireland) Order 1986

PART II

COMPULSORY ADMISSION TO HOSPITAL AND GUARDIANSHIP

Guardianship

Effect of guardianship application

22.—(1) Where a guardianship application, duly made in accordance with the provisions of this Part and forwarded to the responsible^[F1] authority] within the period allowed by paragraph (2), is accepted by that^[F1] authority], the application shall, subject to regulations, confer on the^[F1] Board, authorised HSS trust] or person named in the application as guardian, to the exclusion of any other person—

- (a) the power to require the patient to reside at a place specified by the^[F1] Board, authorised HSS trust] or person named as guardian;
- (b) the power to require the patient to attend at places and times so specified for the purpose of medical treatment, occupation, education or training;
- (c) the power to require access to the patient to be given at any place where the patient is residing to any medical practitioner, approved social worker or other person so specified.

(2) The period within which a guardianship application is required for the purposes of this Article to be forwarded to the responsible^[F1] authority] is the period of 7 days beginning with the date on which the patient was last examined by a medical practitioner before giving a medical recommendation for the purposes of the application.

(3) A patient received into guardianship in pursuance of a guardianship application may, subject to the provisions of this Order, be kept under guardianship for a period not exceeding 6 months beginning with the day on which the guardianship application was accepted, but shall not be so kept for any longer period unless the authority for his guardianship is renewed under Article 23.

- (4) Where a patient is received into guardianship in pursuance of a guardianship application—
- (a) any previous application under this Part by virtue of which he was subject to guardianship shall cease to have effect;
 - (b) if he was previously liable to be detained for assessment or for treatment under this Part, he shall cease to be so liable.

(5) Where a patient is received into guardianship in pursuance of a guardianship application the responsible^[F1] authority] shall immediately forward to the Commission a copy of the guardianship application and of the medical recommendations and the recommendation by an approved social worker on which it is founded.

Status:

Point in time view as at 01/01/2006. This version of this provision has been superseded.

Changes to legislation:

The Mental Health (Northern Ireland) Order 1986, Section 22 is up to date with all changes known to be in force on or before 26 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.