
STATUTORY INSTRUMENTS

2008 No. 1184

**The Mental Health (Hospital, Guardianship
and Treatment) (England) Regulations 2008**

PART 3

Functions of Guardians and Nearest Relatives

Duties of private guardians

22.—(1) It shall be the duty of a private guardian—

- (a) to appoint a registered medical practitioner to act as the nominated medical attendant of the patient;
- (b) to notify the responsible local social services authority of the name and address of the nominated medical attendant;
- (c) in exercising the powers and duties of a private guardian conferred or imposed by the Act and these Regulations, to comply with such directions as that authority may give;
- (d) to furnish that authority with all such reports or other information with regard to the patient as the authority may from time to time require;
- (e) to notify that authority—
 - (i) on the reception of the patient into guardianship, of the private guardian's address and the address of the patient,
 - (ii) except in a case to which paragraph (f) applies, of any permanent change of either address, before or not later than 7 days after the change takes place;
- (f) on any permanent change of the private guardian's address, where the new address is in the area of a different local social services authority, to notify that authority—
 - (i) of that address and that of the patient,
 - (ii) of the particulars mentioned in paragraph (b),and to notify the authority which was formerly responsible of the permanent change in the private guardian's address;
- (g) in the event of the death of the patient, or the termination of the guardianship by discharge, transfer or otherwise, to notify the responsible local social services authority as soon as reasonably practicable.

(2) Any notice, reports or other information under this regulation may be given or furnished in any other way (in addition to the methods of serving documents provided for by regulation 3(1)) to which the relevant local social services authority agrees, including orally or by electronic communication.