
STATUTORY INSTRUMENTS

2008 No. 2705

The Mental Health Review Tribunal for Wales Rules 2008

PART 3

Proceedings before the Tribunal

CHAPTER 1

Before the final determination

Notice of proceedings

16. When the Tribunal receives the information required by rule 15(3), (4) or (5), the Tribunal must give notice of the proceedings—

- (a) where the patient is subject to the guardianship of a private guardian, to the guardian;
- (b) where there is an extant order of the superior court of record established by section 45(1) of the Mental Capacity Act 2005⁽¹⁾, to that court;
- (c) unless the patient requests otherwise, where any person other than the applicant is named in the responsible authority's statement as exercising the functions of the nearest relative, to that person;
- (d) where a local health board, a National Health Service trust, a primary care trust, a NHS Foundation Trust, a Strategic Health Authority, the Welsh Ministers or the Secretary of State has or have a right to discharge the patient under the provisions of section 23(3) of the Act, to such board, trust, authority, person or persons; and
- (e) to any other person the Tribunal may consider should have an opportunity of being heard.