



# Mental Health Amendment (Interstate Agreements) Regulation 2011

under the

Mental Health Act 2007

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Mental Health Act 2007*.

JILLIAN SKINNER, MP  
Minister for Health

## Explanatory note

The object of this Regulation is to update a reference to the Victorian civil agreement made in respect of the interstate application of mental health laws.

This Regulation is made under the *Mental Health Act 2007*, including section 196 (the general regulation-making power).

## 2011 No 610

Clause 1 Mental Health Amendment (Interstate Agreements) Regulation 2011

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Mental Health Act 2007

### 1 Name of Regulation

This Regulation is the *Mental Health Amendment (Interstate Agreements) Regulation 2011*.

### 2 Commencement

This Regulation commences on 9 December 2011 and is required to be published on the NSW legislation website.

### 3 Amendment of Mental Health Regulation 2007

#### (1) Clause 23 Definitions

Omit “19 August 2002” from paragraph (c) of the definition of *interstate agreement* in clause 23 (1).

Insert instead “9 September 2011”.

#### (2) Clause 51A

Insert after clause 51:

#### **51A Savings provision relating to orders issued under the Victorian civil agreement**

- (1) In this clause, *existing interstate apprehension order* means an interstate apprehension order that:
  - (a) was issued under the agreement with respect to the interstate application of mental health laws dated 19 August 2002 and made between the Minister and the Minister for Health for Victoria, and
  - (b) had not been executed before 9 December 2011.
- (2) For the purposes of Part 8, an existing interstate apprehension order is taken to have been issued under the agreement with respect to the interstate application of mental health laws dated 9 September 2011 and made between the Minister and the Minister for Health for Victoria (subject to the terms of that agreement).