



Mental Health Amendment (Community Treatment Order) Regulation 2012

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*.

KEVIN HUMPHRIES, MP
Minister for Mental Health

Explanatory note

The object of this Regulation is to make it clear that a Mental Health Review Tribunal properly constituted for the purpose of conducting a mental health inquiry (being a Tribunal constituted with less than 3 persons) may exercise all the functions of such a Tribunal under section 35 of the *Mental Health Act 2007*, including functions in connection with the making of a community treatment order.

This Regulation is made under the *Mental Health Act 2007*, including sections 150 and 196 (the general regulation-making power).

2012 No 567

Clause 1 Mental Health Amendment (Community Treatment Order) Regulation 2012

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under the

Mental Health Act 2007

1 Name of Regulation

This Regulation is the *Mental Health Amendment (Community Treatment Order) Regulation 2012*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

3 Amendment of the Mental Health Regulation 2007

Clause 21 Constitution of Tribunal for certain proceedings

Insert after clause 21 (2):

- (3) For the avoidance of doubt, nothing in this clause prevents a Tribunal properly constituted with less than 3 persons under section 150 (2A) of the Act for the purpose of conducting a mental health inquiry from exercising any functions of such a Tribunal under section 35 of the Act (including in connection with the making of a community treatment order).