



New South Wales

# Mental Health Amendment (Prescribed Forms) Regulation 2018

under the

Mental Health Act 2007

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

TANYA DAVIES, MP  
Minister for Mental Health

## Explanatory note

The object of this Regulation is to make an amendment to a form that sets out information to be provided to a person who is to be given electro convulsive therapy. The amendment makes it clear that the treatment cannot be given to an involuntary patient without a full hearing before the Mental Health Review Tribunal, whether or not the patient consents to the treatment.

This Regulation is made under the *Mental Health Act 2007*, including sections 91, 93, 96 and 196 (the general regulation-making power).

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### **1 Name of Regulation**

This Regulation is the *Mental Health Amendment (Prescribed Forms) Regulation 2018*.

### **2 Commencement**

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

### **3 Amendment of Mental Health Regulation 2013**

#### **Schedule 1 Forms**

Omit “who does not consent to the treatment” from the matter under the heading “**Persons under 16 and involuntary patients**” in Part 1 of Form 5.