

Act 1994 No. 25

## MENTAL HEALTH (AMENDMENT) BILL 1994

NEW SOUTH WALES



### EXPLANATORY NOTE

**(This Explanatory Note relates to this Bill as introduced into Parliament)**

The object of this Bill is to implement recommendations of the Mental Health Act Implementation Monitoring Committee with respect to the following matters:

- (a) the detention of patients in hospital;
- (b) the transfer of persons between prisons and hospitals;
- (c) the procedures for obtaining approval for the treatment of patients by electro convulsive therapy and other prescribed treatments;
- (d) the duration and effect of community counselling and community treatment orders;
- (e) hospital administration and management;
- (f) orders made by Magistrates in criminal proceedings.

The Committee was established on the commencement of the Mental Health Act 1990 to monitor the new Act, as the Act contained several new initiatives concerning the rights of patients and their treatment inside and outside hospitals.

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**Clause 1** specifies the short title of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

**Clause 3** gives effect to the Schedule of amendments to the Mental Health Act 1990.

**Clause 4** gives effect to the Schedule of amendments to the Mental Health (Criminal Procedure) Act 1990.

**Clause 5** makes it clear that explanatory notes appearing in the Schedules do not form part of the proposed Act.

*Mental Health (Amendment) 1994 [Act 1994 No. 25]*

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**SCHEDULE 1—AMENDMENT OF MENTAL HEALTH ACT 1990**

This Schedule contains the amendments to the Mental Health Act 1990 referred to above. An explanation of each amendment is set out in the Schedule.

**SCHEDULE 2—AMENDMENT OF MENTAL HEALTH (CRIMINAL PROCEDURE) ACT 1990**

This Schedule contains the amendments to the Mental Health (Criminal Procedure) Act 1990 referred to above. An explanation of each amendment is set out in the Schedule.

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