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Crown Law Department,
Perth, 19th January, 1970.

THE undermentioned regulations made under the provisions of the Mental Health Act, 1962, are reprinted pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister for Justice.

W. J. ROBINSON,
Under Secretary for Law.

MENTAL HEALTH ACT, 1962.

MENTAL HEALTH ACT (FORMS) REGULATIONS, 1965.

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MENTAL HEALTH ACT, 1962.

MENTAL HEALTH ACT (FORMS) REGULATIONS, 1965.

- Citation. 1. These regulations may be cited as the Mental Health Act (Forms) Regulations, 1965.
- Interpretation. 2. In these regulations—
“Act” means the Mental Health Act, 1962, as amended;
“Schedule” means a Schedule to these regulations.
- Forms. Schedules. 3. Subject to the succeeding provisions of these regulations, where a provision of the Act is specified in the first column of the First Schedule, the form set out in the Second Schedule of which the number is specified in the third column of the First Schedule, opposite that provision, is prescribed as the form to be used for the purposes of that provision in relation to the matter or thing described in the second column of the First Schedule opposite that provision.
- Procedure where no form prescribed. 4. Where, under any provision of Division 3 of Part IV of the Act, the use of a form is implied, if a form is not prescribed for that provision by these regulations, a corresponding form set out in the Fourth Schedule to the Justices Act, 1902, may be used, with such adaptations as are necessary.
- Particulars prescribed by forms. 5. Where a form prescribed by these regulations requires completion by the insertion of particulars or other matters referred to in the form, those particulars or other matters are prescribed as the particulars of other matters required under the provisions of the Act for the purposes for which the form is prescribed.
- Forms to be completed as directed. 6. A form prescribed by these regulations and containing any directions for its completion shall be completed in accordance with those directions.
- Compliance with forms. 7. Strict compliance with the forms contained in these regulations is not necessary and substantial compliance is sufficient.

First Schedule.

List of Forms.

First Column.	Second Column.	Third Column.
Provision of Mental Health Act for which Form Prescribed.	Description of Form.	Number of Form in Second Schedule.
Section—		
27 (1) (a)	Application for the Informal Admission of a person under the age of 18 years.	1
27 (1) (b)	Application for Informal Admission by a person 18 years of age and over.	2
28 (1)	Referral by Medical Practitioner.	3
29 (1)	Form of Application.	4

List of Forms.—*continued.*

First Column. Provision of Mental Health Act for which Form Prescribed	Second Column. Description of Form.	Third Column. Number of Form in Second Schedule.
29 (1)	Order for Conveyance of a Person to, and for his reception in, an Approved Hospital.	5
29 (2)	Referral by Medical Practitioner.	3
30 (1)	Form of Complaint.	4
30 (1) and 30 (2)	Order for apprehension of a Person and for his examination by a Medical Practitioner.	6
30 (3)	Referral by Medical Practitioner.	3
31 (1)	Form of Complaint.	4
31 (2)	Special Warrant to enter a Place and examine a Person.	7
31 (3)	Referral by Medical Practitioner.	3
32 (1)	Order for Conveyance of a Person to, and for his reception in, an Approved Hospital.	5
33 (2)	Indorsement to suspend Execution of an Order made under Division 3 of Part IV.	8
36 (1) (b)	Warrant remanding a Person to an Approved Hospital for Observation.	9
36 (2)	Referral by Medical Practitioner.	3
36 (2)	Order for Conveyance of a Person to, and for his reception in, an Approved Hospital.	5

Second Schedule.

Forms.

Form 1.*

Mental Health Act, 1962.

(Section 27 (1) (a).)

APPLICATION FOR THE INFORMAL ADMISSION OF A PERSON UNDER THE AGE OF 18 YEARS.

To the Superintendent,

.....Hospital:

I
(Christian Names) (Surname in block letters)

of
(full address)

being a parent of or a guardian having the custody of.....
(full name in block letters)

who was born on the.....19....., hereby make application for h..... to be admitted as a patient under the provisions of Division 1 of Part IV of the Mental Health Act, 1962.

* Form not applicable now as provisions of section 27 (1) (a) altered by Act No. 16 of 1968.

I understand that any application for the discharge of the abovenamed must be made in writing and that h..... may be detained for 72 hours after that application is received.

Dated the.....19.....

Signature.

Witness.

For Hospital use, only:

Received into Hospital—Date..... Time.....

Examined: Date..... Time..... By.....

Date..... Time..... By.....

Date..... Time..... By.....

Admitted: Date..... Time..... By.....

Admission Refused..... By.....

Form 2.*

Mental Health Act, 1962.

(Section 27 (1) (b).)

APPLICATION FOR INFORMAL ADMISSION BY A PERSON 18 YEARS OF AGE AND OVER.

To the Superintendent,

.....Hospital:

I, (Christian Names) (Surname in block letters)

of (full address)

being of the full age of eighteen years, hereby apply to be admitted as a patient under the provisions of Division 1 of Part IV of the Mental Health Act, 1962.

I understand that any application for my discharge must be made in writing and that I may be detained for 72 hours after that application is received.

Dated the 19.....

(Signature)

Witness.

For Hospital use, only:

Received into Hospital—Date..... Time.....

Examined: Date..... Time..... By.....

Date..... Time..... By.....

Date..... Time..... By.....

Admitted: Date..... Time..... By.....

Admission Refused..... By.....

* Form not applicable now, as provisions of section 27 (1) (b) altered by Act No. 16 of 1968.

Form 3.

Mental Health Act, 1962.

(Section 28 (1), 29 (2), 30 (3), 31 (3) and 36 (2).)

REFERRAL BY MEDICAL PRACTITIONER.

I,being a legally qualified medical practitioner, state that on the at.....

(date) in the State of Western Australia I personally examined

..... (full name of person) of..... (address)

and I am of the opinion that he/she appears to be suffering from a mental/nervous disorder, by reason that—

(a) as observed by me, and

(b)

as I am informed by..... I am of the opinion he/she should be admitted to an approved hospital.

Signed..... Qualifications..... Address..... Date.....

For Hospital use, only:

Received into Hospital: Date..... Time..... By.....

Examined: Date..... Time..... By.....

Date..... Time..... By.....

Date..... Time..... By.....

In my opinion the abovenamed should be admitted to the Hospital as a patient/is not in need of treatment and should be permitted to leave the hospital.*

Entered in the register this..... at

Signature.

Qualifications.

Admitted/Left hospital: Date..... Time.....

* Delete whichever is inapplicable.

Form 4.

Mental Health Act, 1962.

(Sections 29 (1), 30 (1), 31 (1), and 32 (1).)

FORM OF APPLICATION OR COMPLAINT.

WESTERN AUSTRALIA }

To Wit }

The application/complaint of (1).....
of (2)..... in the said State
(3)..... made this.....
day of....., 19..... before the undersigned, one
of Her Majesty's Justices of the Peace for the said State, shows
that (4)..... of
(5)..... in the said State
(6)..... appears to be suffering
from mental disorder and (7).....

and the applicant/complainant seeks an order/a warrant requiring
(8)

Signature of Applicant/Complainant.

MADE/SWORN before me the day and year first above written
at..... in the said State.

Justice of the Peace.

- (1) Full name of applicant or complainant. (2) Address of applicant or complainant. (3) Description of applicant or complainant. (4) Full name of person in respect of whom application or complaint is made. (5) Address of that person. (6) Description of that person. (7) Set out such of the grounds mentioned in Ss. 29 (1), 30 (1), 30 (2), 31 (1) or 32 (1), as the case requires, to lead to the order or warrant sought. (8) Set out the nature of order or the particulars of the warrant sought.

Note:—An application made under section 29 (1) must be accompanied by a referral by a medical practitioner, given under section 28 of the Act.

Form 5.

Mental Health Act, 1962.

(Sections 29 (1), 32 (1), and 36 (2).)

ORDER FOR CONVEYANCE OF A PERSON TO, AND FOR HIS RECEPTION IN, AN APPROVED HOSPITAL.

To the principal police officer at..... in
the State of Western Australia and to all other police officers
in the said State and to the Superintendent of.....
Hospital in the said State:

WHEREAS an application/complaint on oath was made under
section of the Mental Health Act,
1962, that..... of
..... in the said State appears to be suffering
from mental disorder and.....

AND WHEREAS it appears from the attached referral of.....
a legally qualified medical practitioner,
 that the said..... is in fact
 suffering from mental disorder and should be admitted for treat-
 ment to an approved hospital:
 These are therefore to command you the said police officer or
 police officers, in Her Majesty's name, to convey the said.....
to..... Hospital
 aforesaid and there deliver h..... to the Superintendent thereof
 together with this order and the attached referral and you the
 said Superintendent to receive the said.....
 into hospital for observation as provided by the said Act.

Given under my hand at.....in the said
 State, this.....day of.....19.....

.....
 Justice of the Peace.

For Hospital use, only:

Received into Hospital: Date..... Time..... By.....
 Examined: Date..... Time..... By.....
 Date..... Time..... By.....
 Date..... Time..... By.....

In my opinion the abovenamed should be admitted to the
Hospital as a patient/is not in need of treat-
 ment and should be permitted to leave the hospital.*
 Entered in the register this.....at.....

* Delete
 whichever
 is inapplic-
 able.

.....
 Signature.

.....
 Qualifications.

Admitted/Left hospital: Date..... Time.....

Form 6.

Mental Health Act, 1962.
 (Section 30 (1) and (2).)

ORDER FOR APPREHENSION OF A PERSON AND FOR HIS
 EXAMINATION BY A MEDICAL PRACTITIONER.

To the principal police officer at.....
 in the State of Western Australia and to all other police
 officers in the said State:

WHEREAS a complaint under section 30 of the Mental Health
 Act, 1962, has been made on oath before the undersigned one of
 Her Majesty's Justices of the Peace for the said State, that
of.....in the said
 State appears to be suffering from mental disorder and.....

.....:
 These are, therefore, to command you, in Her Majesty's name, to
 apprehend the said....., if
 not already in custody, and (in either event) to cause h..... to
 be examined by a legally qualified medical practitioner and, there-
 after, to bring h..... before some one or other of Her Majesty's
 Justices of the Peace to be dealt with according to law.

Given under my hand at.....in the said State, this
day of.....19.....

.....
 Justice of the Peace.

Form 7.
Mental Health Act, 1962.
(Section 31 (2).)

SPECIAL WARRANT TO ENTER A PLACE AND EXAMINE
A PERSON.

To the principal police officer at.....in the State of
Western Australia and to all other police officers in the said
State:

WHEREAS a complaint under section 31 of the Mental Health Act,
1962, has been made on oath before the undersigned, one of Her
Majesty's Justices of the Peace for the said State, that.....
.....of.....in the said State appears to
be suffering from mental disorder and.....

.....:
These are, therefore, to command you, in Her Majesty's name, to
enter, with a legally qualified medical practitioner and with such
assistance as may be found necessary, into the place at
.....where the said
.....lives or is detained,
using force, if necessary, for making that entry, whether by break-
ing down doors or otherwise, and there cause h..... to be
examined by the medical practitioner aforesaid and upon it
appearing from the referral of the medical practitioner that the
said.....is in fact suffering from
mental disorder you are to bring h..... before some one or
other of Her Majesty's Justices of the Peace to be dealt with
according to law.

Given under my hand, at.....in
the said State, this.....day of.....19.....

Justice of the Peace.

Form 8.
Mental Health Act, 1962.
(Section 33 (2).)

INDORSEMENT TO SUSPEND EXECUTION OF AN ORDER
MADE UNDER DIVISION 3 OF PART IV.

The execution of the within order is suspended for a period of
.....days* from the date thereof during which
period the said (here set out directions and arrangements as to
care and control of person to whom order relates).....

Justice of the Peace.

* Not exceeding seven days.

Form 9.

Mental Health Act, 1962.

(Section 36 (1).)

WARRANT REMANDING A PERSON TO AN APPROVED HOSPITAL FOR OBSERVATION.

To the principal police officer at.....in the State of Western Australia and to the superintendent ofHospital, in the said State:

WHEREAS.....ofin the said State was on the.....day of.....19..... charged at the Court of Petty Sessions at..... that he/she did.....:

AND WHEREAS the Court, acting pursuant to the provisions of section 36 of the Mental Health Act, 1962, ordered that, pending the further hearing of the charge the said..... be remanded in custody, for reception into, and observation in, an approved hospital, for a period of.....days*: These are therefore to command you, the said police officer, forthwith to convey the said.....to the said.....Hospital and deliver h..... to the superintendent thereof, together with this warrant, and you, the said superintendent to receive the said.....into your custody in the said hospital and, subject to such lawful orders as may be made in that behalf, there keep h..... under observation until theday of.....19..... or such earlier day as may lawfully be ordered in that behalf and you are further required to deliver h..... into the custody of a member of the Police Force to be brought before the Court of Petty Sessions atin the said State on theday of.....19..... ato'clock in the.....noon to answer the said charge.

Given under.....hand(s), atin the said State thisday of..... 19.....

Magistrate/Justices of the Peace.

* Not exceeding 28 days.