

ORDINANCE OF THE STATES OF DELIBERATION

ENTITLED

The Mental Treatment (Forms) (Regulations)

Ordinance, 1956 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

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* Recueil d'Ordonnances Tome XI, p. 243; as amended by the Mental Treatment (Amendment) (Guernsey) Law, 1972 (Ordres en Conseil Vol. XXIII, p. 328); the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 278); the Mental Treatment (Forms) (Regulations) (Amendment) Ordinance, 1964 (Recueil d'Ordonnances Tome XIV, p. 57); the Mental Treatment (Forms) (Regulations) (Amendment) Ordinance, 1972 (Recueil d'Ordonnances Tome XVIII, p. 121); the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406). See also the Criminal Justice (Bailiwick of Guernsey) Law, 1979 (Ordres en Conseil Vol. XXVII, p. 172). This Ordinance was repealed by the Mental Health (Bailiwick of Guernsey) Law, 2010 (No. XV of 2011).

ORDINANCE
OF THE STATES OF DELIBERATION

ENTITLED

The Mental Treatment (Forms) (Regulations)
Ordinance, 1956

ARRANGEMENT OF ARTICLES

1. Books, records and forms.
2. Repeals.
3. Commencement.

SCHEDULE The Mental Treatment (Forms) Regulations, 1956.

(Made on 2nd July, 1956.)

The Mental Treatment (Forms) (Regulations) Ordinance, 1956

THE STATES LEGISLATION COMMITTEE, under and by virtue of the powers conferred upon them by paragraph (3) of Article sixty-six of the Reform (Guernsey) Law, 1948, and on the representations of the States Board of Health, hereby order: –

Books, records and forms.

1. The books and other records to be kept in any mental hospital or other place, and the forms to be used, for the purposes of the Mental Treatment Law (Guernsey) 1939, as amended from time to time, shall be those set out respectively in the First and Second Schedules to the Regulations set out in the Schedule to this Ordinance which Regulations are hereby approved.

Repeals.

2. Regulations 19, 20, 21 and 22 of and the Second Schedule to the Ordinance entitled "Ordonnance approuvant des Règlements faits par le Conseil des États dit 'The States' Mental Health Services Board' et prescrivant les Formes à être usitées pour les besoins de la Loi dite 'The Mental Treatment Law (Guernsey) 1939'" made on the 2nd day of March, 1940, are hereby repealed.

Commencement.

3. This Ordinance shall come into force on the 2nd day of July, 1956.

SCHEDULE

The Mental Treatment (Forms) Regulations, 1956

Reception of certified patients.

1. The documents required by the provisions of Article 16 of the Law to be delivered, upon the admission of a certified patient, to the person in charge of a mental hospital or authorised place, shall be respectively in the forms set out in the Second Schedule to these Regulations, namely –

- (i) the petition: Form 1,
- (ii) the statement of particulars: Form 2,
- (iii) the medical certificate: Form 3,
- (iv) the admission order: Form 4 or Form 4A, as the case requires.

Reception of voluntary patients.

2. (1) ...

(2) In the case of a person under the age of sixteen years –

(a) ...

(b) the medical recommendation accompanying the application shall be in the form set out in Form 7 in the said Schedule.

Reception of temporary patient.

3. The documents required by the provisions of Article 34 of the Law for the making of a temporary admission order and the reception of a person as a temporary patient into a mental hospital or into charge as a single patient shall be respectively in the forms set out in the Second Schedule to these Regulations, namely –

- (i) the application: Form 8,
- (ii) the recommendation: Form 9,
- (iii) the temporary admission order: Form 10.

Medical statement.

4. ...

Special report.

5. The special report of the [Consultant Psychiatrist] required by the provisions of paragraph (3) of Article 17 of the Law to be sent to the Board shall be in the form set out in Form 12 in the Second Schedule to these Regulations.

Medical certificate.

6. The medical certificate required by the provisions of Article 2 of the 1956 Law for the reception of a person into a mental hospital shall be in the form set out in Form 3 in the Second Schedule to this Ordinance.

Urgency order.

7. The urgency order, medical certificate and statement of particulars required by the provisions of the 1956 Law for the reception and detention of a

person in a mental hospital or as a single patient shall be respectively in the forms set out in Form 13, Form 3 and Form 2 in the Second Schedule to the Regulations.

Transfer order.

8. A transfer order made by a Law Officer of the Crown under the provisions of Part V of the Law shall be in the form set out in Form 14 in the Second Schedule to these Regulations.

Interpretation.

9. For the purposes of these Regulations the following expressions have the meanings hereby respectively assigned to them, that is to say –

"the Board" means the States [Health and Social Services Department],

"the Law" means the Mental Treatment Law (Guernsey) 1939, as amended from time to time,

"the 1956 Law" means the Mental Treatment (Guernsey) Law, 1956, as amended from time to time,

["Consultant Psychiatrist" has the meaning assigned to it by Article I of the Law.]

Citation.

10. These Regulations may be cited as the Mental Treatment (Forms) Regulations, 1956.

SCHEDULES

THE FIRST SCHEDULE

Prescribed Books

Register of Admission of Certified Patients, Voluntary Patients, Temporary Patients and Patients admitted under an Urgency Order.

Register of Patients' Personal Belongings.

Register of Patients' Correspondence.

Mechanical Restraint Order Book.

Discharge Book.

Such Books of Account as may be necessary for the accurate record of Income and Expenditure.

THE SECOND SCHEDULE

Prescribed Forms

The Mental Treatment (Guernsey) Laws, 1939 to 1956.

FORM 1

Petition for an Admission Order

In the matter of ⁽¹⁾
of ⁽²⁾
, ⁽³⁾
a person alleged to be of unsound mind (hereinafter referred to as "**the Patient**").

The petition of ⁽⁴⁾
⁽⁵⁾
⁽⁶⁾

1. I am ⁽⁷⁾ years of age.

Insert:

- (1) full name,
- (2) address, and
- (3) usual occupation of patient.

Insert:

- (4) full name,
- (5) address, and
- (6) usual occupation of petitioner.

(7) A person may not complete this petition unless he is 20 years of age at least.

Consolidated text

2. I desire to obtain an order for the admission of the Patient as a certified patient in the
(8) name and
(9) locality of place to which admission is sought.
(8) situate at (9)

3. I last saw the Patient at
(10) A day within 7 days before the presentation of the petition.
on the (10) day of , 19 .

(11) 4. (a) I am
(11) Here state the relationship or connection with the patient.
of the Patient.

(b) *If the petitioner is not the Husband or Wife or a near relative, or the guardian of the Patient, state as follows –*

This petition is not presented by the husband or wife or a near relative, or the guardian of the Patient because (give the reasons)

The circumstances in which this petition is presented by me are as follows –

5. I am not related to or connected with either of the persons signing the certificates which accompany this petition as (where the petitioner is a man) husband, father, father-in-law, son, son-in-law, brother, brother-in-law, partner or assistant (or where the petitioner is a woman) wife, mother, mother-in-law, daughter, daughter-in-law, sister, sister-in-law, partner or assistant.

6. Until a Guardian is appointed I undertake that the Patient shall be visited either personally or by someone specially appointed by me at least once in every three months during the detention of the Patient in a mental hospital or authorised place.

7. A statement of particulars relating to the Patient accompanies this petition.

8. The usual medical attendant of the Patient has ⁽¹²⁾ {not} signed one of the medical certificates accompanying this petition by reason of the fact that

(12) If one of the certificates is signed by usual medical attendant, delete "not" and the words following "petition". If one of the certificates is not so signed, give reason.

The petitioner therefore prays that an order may be made in accordance with the foregoing statement.

(Signed)

Dated this day of , 19 .

NOTE

(This Note is for information only)

Article 43 of the Mental Treatment Law (Guernsey) 1939, as amended –

"Any person who knowingly makes a false declaration or any wilful misstatement of any material fact in any petition, statement of particulars, admission order, medical or other certificate, or in any statement or report of bodily or mental condition, under this Law, shall be guilty of an offence and shall, in respect of every such offence, be liable, on conviction, to a fine not exceeding [level 1 on the uniform scale] or to imprisonment, with or without hard labour, for a term not exceeding six months, or to both such fine and such imprisonment."

The Mental Treatment (Guernsey) Laws, 1939 to 1956.

FORM 2

Statement of Particulars ⁽¹⁾ (1) If any particulars are not known, the fact is to be stated.

Full Christian and surname of Patient

Sex and age

Married, single or widowed

Rank, profession or previous occupation (if any)

Religious persuasion

Residence at or immediately previous to the date hereof

Whether first attack

Age on first attack

Where and when previously under care and treatment as a patient suffering from mental illness

Duration of existing attack

Supposed cause

Whether subject to epilepsy

Whether suicidal

Whether dangerous to self or others, and in what way

Whether any near relative has suffered from

mental derangement

If the Patient is under guardianship, the name and address of the guardian and, if the latter was legally appointed, the date of the Act of Court under which the appointment was made

Full Christian and surnames and full postal address of one or more relatives of the Patient

Full Christian and surname and full postal address of the person to whom notice is to be sent in the event of the death of the Patient

Name and full postal address of the usual medical attendant of the Patient

(Signed)

Dated this day of , 19 .

When the petitioner ⁽²⁾ {the person who signed the Urgency Order} is not the person who signs the statement of particulars *add the following statement of particulars concerning the person who signs such statement.* (2) Delete whichever is inapplicable.

Full Christian name and surname

Rank, profession or occupation (if any)

Full postal address

How related to or otherwise connected with

the Patient

NOTE

(This Note is for information only)

Article 43 of the Mental Treatment Law (Guernsey) 1939, as amended –

"Any person who knowingly makes a false declaration or any wilful misstatement of any material fact in any petition, statement of particulars, admission order, medical or other certificate, or in any statement or report of bodily or mental condition, under this Law, shall be guilty of an offence and shall, in respect of every such offence, be liable, on conviction, to a fine not exceeding [level 1 on the uniform scale] or to imprisonment, with or without hard labour, for a term not exceeding six months, or to both such fine and such imprisonment."

The Mental Treatment (Guernsey) Laws, 1939 and 1956.

FORM 3

Certificate of Medical Practitioner

In the matter of ⁽¹⁾
of ⁽²⁾
, ⁽³⁾
a person alleged to be of unsound mind (hereinafter referred to as **'the Patient'**).

I, the undersigned ⁽⁴⁾
of ⁽⁵⁾
do certify as follows –

1. I am a person authorised to practise the profession of medicine in the Island of Guernsey.

2. On the ⁽⁶⁾ day of , 19 ,
at o'clock in the at
in the parish of I

Insert:

- (1) full name,
- (2) address, and
- (3) usual occupation of patient.

Insert:

- (4) full name, and
- (5) address of medical practitioner.

- (6) The day of the certifier's personal examination of the patient must have been not more than seven clear

personally examined the Patient, no other medical practitioner being present at such examination, and I came to the conclusion that the Patient is a person of unsound mind and is, by reason of mental ailment, in need of care and treatment and is a proper person to be taken charge of and detained under care and treatment.

days before the date of the presentation of the petition.

3. I formed this conclusion on the following grounds –

(a) facts indicating unsoundness of mind observed by myself at the time of examination,⁽⁷⁾ that is to say –

(7) If the same or other facts were observed previous to the time of examination the certifier is at liberty to sub-join them in a separate paragraph.

(b) facts communicated to me by others,⁽⁸⁾ that is to say –

(8) The full names of informants to be given with their addresses and descriptions.

(N.B.—In the case of a certified patient Article 11 of the Mental Treatment Law (Guernsey) 1939 provides that an admission order shall not be made upon a medical certificate founded only upon facts communicated to the certifier by others.)

4. I consider that it is expedient ⁽⁹⁾ } for the welfare of the Patient

for the public safety } (9) Strike out after "expedient" which-ever bracketed phrase does not apply. If both apply insert "and" between them.

that the Patient should be placed forthwith under care and treatment.

5. The Patient appeared to me ⁽¹⁰⁾ {not} to be in a fit condition of bodily health to be removed to a mental hospital or authorised place. (10) Delete " not " if not applicable.

6. I give this certificate having first read the Article of the Mental Treatment Law (Guernsey) 1939, printed below.

(Signed)

Medical Qualifications

Dated this day of , 19 .

NOTE

(This Note is for information only)

Article 43 of the Mental Treatment Law (Guernsey) 1939, as amended –

"Any person who knowingly makes a false declaration or any wilful misstatement of any material fact in any petition, statement of particulars, admission order, medical or other certificate, or in any statement or report of bodily or mental condition, under this Law, shall be guilty of an offence and shall, in respect of every such offence, be liable, on conviction, to a fine not exceeding [level 1 on the uniform scale] or to imprisonment, with or without hard labour, for a term not exceeding six months, or to both such fine and such imprisonment."

The Mental Treatment (Guernsey) Laws, 1939 and 1956.

FORM 4

Order for the Admission of a Certified Patient to a Mental Hospital and Detention
therein

Insert:

- (1) full name,
- (2) address, and
- (3) usual occupation of patient.

In the matter of ⁽¹⁾
of ⁽²⁾
⁽³⁾, (hereinafter referred to as
"the Patient").

I, the undersigned, having read the petition of
dated the day of
, 19 , and the statement of particulars accompanying
the same and the Medical Certificates of
and
dated the day of 19 , and
 day of 19 , respectively,
and being satisfied that the Patient is a person of
unsound mind and in need of care and treatment, do
hereby authorise you to receive the Patient as a
certified patient into
 and there to detain the Patient.

(Signed)

A Law Officer of the Crown.

Dated this day of , 19 .

To

.....
.....
.....

REPEALED

The Mental Treatment (Guernsey) Laws, 1939 and 1956.

FORM 4A

Order for the Admission of a Certified Patient to a place other than Mental
Hospital, and Detention therein

In the matter of ⁽¹⁾
of ⁽²⁾
⁽³⁾
"the Patient").

Insert:

- (1) full name,
- (2) address, and
- (3) usual occupation of patient.

I, the undersigned, having read the petition of
dated the _____ day of _____
, 19____, and the statement of particulars
accompanying the same and the Medical Certificates of
and
dated the _____ day of _____ 19____, and
_____ day of _____ 19____, respectively,
and being satisfied that the Patient is a person of
unsound mind and in need of care and treatment, do
hereby authorise you to receive the Patient as a
certified patient into
_____ and there to detain the Patient.

⁽⁴⁾ This Order is made under the authority of an Act of the Royal Court passed on the _____ day of _____, 19__.

⁽⁴⁾ See the Mental Treatment Law (Guernsey) 1939, Art. 19(1).

(Signed)

A Law Officer of the Crown.

Dated this _____ day of _____, 19__.

To

.....
.....
.....

REPEALED

The Mental Treatment (Guernsey) Laws 1939 and 1956.

FORM 5

Application for Reception as a Voluntary Patient by a Person NOT under the age of
Sixteen years

...

REPEALED

The Mental Treatment (Guernsey) Laws, 1939 and 1956.

FORM 6

Application by Parent or Guardian for reception of a Person under sixteen years of
age as a Voluntary Patient

...

REPEALED

The Mental Treatment (Guernsey) Laws, 1939 and 1956.

FORM 7

Recommendation of Medical Practitioner for reception of a Person under sixteen years of age as a Voluntary Patient

Recommendation for reception and treatment of ⁽¹⁾

of ⁽²⁾

as a Voluntary Patient in

Insert:

(1) full name, and

(2) address of patient.

I, ⁽³⁾

of ⁽⁴⁾

, hereby

declare that –

Insert:

(3) full name, and

(4) address of medical practitioner.

1. I am a person authorised to practise the profession of medicine in the Island of Guernsey.

2. I examined the said
on the day of ,19 .

3. I am of the opinion that the said
is likely to be benefited by being

received as a Voluntary Patient for treatment for mental illness pursuant, to Article 31 (entitled "Admission, etc., of Voluntary Patients") of the Mental Treatment Law (Guernsey). 1939, as amended.

4. ⁽⁵⁾ I am the usual medical attendant of the person to whom this recommendation relates. (5) Strike out which-ever paragraph is inapplicable.

I am the [Consultant Psychiatrist] of the States' Mental Health Services.

(Signed)

Medical Qualifications

Dated this day of , 19 .

NOTE

(This Note is for information only)

Extracts from Article 31 (which deals with the Admission, etc., of Voluntary Patients) of the Mental Treatment Law (Guernsey) 1939, as amended –

- "(3) The medical recommendation referred to in the last paragraph shall –
- (a) be signed by a medical practitioner, who shall be either the usual medical attendant of the person to whom the [request] relates or the [Consultant Psychiatrist], and

- (b) state the qualifications of the said medical practitioner, the date or dates on which he examined the said person, and that the said person is likely to be benefited by being received as a voluntary patient for treatment for mental illness under this Article.

(4) A medical recommendation shall cease to have effect for the purposes of this Article on the expiration of fourteen days from the last date on which the person to whom the recommendation relates was examined by the medical practitioner for the purposes of making the recommendation."

The Mental Treatment (Guernsey) Laws, 1939 and 1956.

FORM 8

Application for a Temporary Admission Order

In the matter of ⁽¹⁾
of ⁽²⁾
⁽³⁾, a person alleged to be
suffering from mental illness and likely to benefit by
temporary treatment (hereinafter referred to as "**the
Patient**").

Insert:

- (1) full name,
- (2) address, and
- (3) usual occupation of patient.

I ⁽⁴⁾ of ⁽⁵⁾
⁽⁶⁾,
hereby apply for a temporary admission order for the
reception of the Patient into ⁽⁷⁾
situate at ⁽⁸⁾

Insert:

- (4) full name,
- (5) address, and
- (6) usual occupation of applicant.
- (7) name, and
- (8) locality of place to which admission is sought.

⁽⁹⁾ I am related to the patient in the following manner –

(9) Delete whichever paragraph is not applicable.

OR

I am the Constable of the parish of
in which the said parish the Patient now is.

OR

I am not related to the Patient nor am I the Constable of the parish in which the Patient now is. The reasons why this application is not made by a relative of the Patient or by the Constable of the parish in which he/she now is and my connection with him/her and the circumstances under which I make this application are as follows –

Accompanying this application is a recommendation for temporary treatment of the Patient signed by
and .

The usual medical attendant of the Patient is ⁽¹⁰⁾ {not} one of the medical practitioners who have signed the recommendation ⁽¹⁰⁾ {by reason of the fact that}

(10) Delete if
inapplicable.

Until a Guardian is appointed I undertake that the patient shall be visited either personally or by someone who is willing and who has been specially appointed by me at least once in every two months during the detention of the patient in a mental hospital or authorised place.

(Signed)

Dated this day of , 19 .

To

The Law Officers of the Crown,
St. James' Chambers,
Guernsey.

NOTE

(This Note is for information only)

Extracts from Article 34 of the Mental Treatment Law (Guernsey) 1939, as amended –

"(1) A person who is suffering from mental illness and is likely to benefit by temporary treatment but is for the time being incapable of expressing himself as willing or unwilling to receive such treatment may, under a temporary admission order made by a Law Officer in the prescribed form, be received as a temporary patient for the purpose of treatment –

(i) into a mental hospital, or

- (ii) with the consent of the Board, into charge as a single patient.

(2) A Law Officer may make a temporary admission order upon an application to him in that behalf in the prescribed form which application shall, if possible, be made by the husband or wife, or by a relative of the person to whom it relates, or by a Constable of the parish in which the said person then is, and if the application is not so made, it shall contain a statement of the reason why it is not so made, of the connection of the applicant with the person to whom it relates and of the circumstances in which he makes the application.

(3) The application shall be accompanied by a recommendation certifying that the person to whom the recommendation relates is suffering from mental illness and is likely to benefit by temporary treatment and is for the time being incapable of expressing himself as willing or unwilling to receive such treatment made in the prescribed form signed by two medical practitioners, of whom one shall be, if practicable, the usual medical attendant of the person to whom the application relates."

The Mental Treatment (Guernsey) Laws, 1939 and 1956.

FORM 9

Recommendation for Temporary Treatment

In the matter of ⁽¹⁾
of ⁽²⁾
⁽³⁾, (hereinafter referred to as
"the Patient").

Insert:

- (1) full name,
- (2) address, and
- (3) usual occupation of patient.

I, _____, am a person authorised to practise the profession of medicine in the Island of Guernsey. I am the usual attendant of the Patient. I examined the Patient on the day of _____ at _____ in the parish of _____. I have formed the conclusion certified below on the following grounds, namely –

I, _____, am a person authorised to practise the profession of medicine in the Island of Guernsey. I am ⁽⁴⁾ {not} the

- (4) Delete whichever is not applicable.

usual medical attendant of the Patient. I examined the patient on the day of at in the parish of . I have formed the conclusion certified below on the following grounds, namely –

Now therefore We, the above-mentioned medical practitioners, hereby certify that the Patient –

- (a) is suffering from mental illness,
- (b) is likely to benefit by temporary treatment,
- (c) is for the time being incapable of expressing ⁽⁴⁾ himself/herself as willing or unwilling to receive such treatment.

(Signed)

Medical Qualifications

Dated this day of , 19 .

(Signed)

Medical Qualifications

Dated this day of , 19 .

NOTE

(This Note is for information only)

Extracts from Article 34 of the Mental Treatment Law (Guernsey) 1939, as amended –

"(3) The application shall be accompanied by a recommendation certifying that the person to whom the recommendation relates is suffering from mental illness and is likely to benefit by temporary treatment and is for the time being incapable of expressing himself as willing or unwilling to receive such treatment made in the prescribed form signed by two medical practitioners, of whom one shall be, if practicable, the usual medical attendant of the person to whom the application relates.

(4) Each of the medical practitioners by whom a recommendation under this Article is made shall, before signing the recommendation, examine the person to whom the recommendation relates, either separately or in conjunction with the other medical practitioner, and shall specify in the recommendation the date on which he so examined the said person and the facts on which he bases his recommendation.

(5) A recommendation shall be of no effect for the purposes of this Article if there is a greater interval than five clear days between the dates on which the person to whom the recommendation relates was examined by the two medical practitioners respectively, and any such recommendation shall cease to have effect on the expiration of fourteen days from the date on which the person to whom the recommendation relates was examined by the two medical practitioners, or, if he was examined by those practitioners on two different dates, on the expiration of fourteen days from the later of those dates."

The Mental Treatment (Guernsey) Laws, 1939 and 1956.

FORM 10

Temporary Admission Order

In the matter of ⁽¹⁾
of ⁽²⁾
⁽³⁾, (hereinafter referred to as
"the Patient").

Insert:
(1) full name,
(2) address, and
(3) usual occupation of
patient.

I, the undersigned, having read the application
of
dated the day
of , 19 , and the recommendation of
and
signed on the day of 19 ,
and the day of 19 , respectively,
accompanying the same and being satisfied that the
Patient is suffering from mental illness, is likely to
benefit by temporary treatment but is for the time being
incapable of expressing ⁽⁴⁾ himself/herself as willing or
unwilling to receive such treatment ⁽⁴⁾ {and being
satisfied that the States [Health and Social Services
Department] has given its consent to the Patient being
received into charge as a single patient}, do hereby

(4) Delete where
inapplicable.

Consolidated text

authorise you to receive the Patient as a temporary patient into ⁽⁵⁾ situate at ⁽⁶⁾ and there to detain the Patient.

Insert:
(5) name and
(6) locality of place to which admission is sought.

(Signed)

A Law Officer of the Crown.

Dated this day of , 19 .

To ⁽⁷⁾

.....
.....
.....

(7) The [Consultant Psychiatrist] or person in charge of an authorised place, as the case may be.

The Mental Treatment (Guernsey) Laws, 1939 and 1956.

FORM 11

Medical Statement as to mental and bodily condition of patient

...

REPEALED

The Mental Treatment (Guernsey) Laws, 1939 and 1956.

FORM 12

Special Report and Certificate of the [Consultant Psychiatrist]

Name of Patient

Date of admission order

Date of reception in the place named
in the admission order

I have this day seen and examined the above named Patient and report that the mental and bodily condition of the Patient is as follows –

I hereby certify that he is still of unsound mind and a proper person to be detained under care and treatment.

(Signed)

[Consultant Psychiatrist].

The Mental Treatment (Guernsey) Laws, 1939 and 1956.

FORM 13

Urgency Order

I, ⁽¹⁾ _____ of ⁽²⁾ _____
⁽³⁾ _____, being a person of not less
than twenty years, hereby authorise you to receive ⁽⁴⁾ _____
of ⁽⁵⁾ _____
⁽⁶⁾ _____ (hereinafter
referred to as "**the Patient**") into ⁽⁷⁾ _____
as a person alleged to be of unsound mind.

I last saw the Patient at _____ ⁽⁸⁾ a.m.
on the ⁽⁹⁾ _____ day of _____, 19____, at _____ p.m.
_____ in the parish of _____.

⁽⁸⁾ I am related to the Patient in the following
manner –

- Insert:
- (1) full name,
 - (2) address, and
 - (3) usual occupation.
 - (4) full name,
 - (5) address, and
 - (6) usual occupation of patient.
 - (7) A mental hospital or authorised place, as the case may be.
 - (8) Delete whichever is inapplicable.
 - (9) The person making the order must have seen the patient within the forty-eight hours previously.

OR

I am the Constable of the parish of
in which said parish the Patient now is.

Accompanying this order is a medical
certificate signed by
and a statement of particulars both
relating to the Patient.

(Signed)

Dated this day of , 19 .

To ⁽¹⁰⁾

.....
.....
.....

(10) The [Consultant
Psychiatrist] or the
person in charge
of the authorised
place, as the case
may be.

NOTE

(This Note is for information only)

Article 3 of the Mental Treatment (Amendment) (Guernsey) Law, 1956 –

"3. (1) Notwithstanding anything in the principal Law in all cases of
urgency where it is expedient either for the welfare of a person alleged to be a
person of unsound mind or for the safety of others that the said person should be
forthwith placed under care and treatment, he may be received and detained in a
mental hospital provided by the States or as a single patient on an urgency order in

the form prescribed made, if possible, by the husband or wife or a relative of the said person, or a Constable of the parish in which he then is, accompanied by one medical certificate in the form prescribed.

(2) An urgency order may be signed before or after the medical certificate.

(3) No person shall sign an urgency order unless he is at least twenty years of age and has within the forty-eight hours before the making of the order personally seen the person alleged to be of unsound mind.

(4) An urgency order shall not remain in force for longer than seven days from its date.

(5) An urgency order shall as far as possible have sub-joined or annexed thereto a statement of particulars in the form prescribed.

FORM 14

The Mental Treatment (Guernsey) Laws, 1939 and 1956.

FORM 14

Transfer Order

By virtue of the provisions of Part V (entitled "Transfer, etc., of Certified Patients) of the Mental Treatment Law (Guernsey) 1939, I, the undersigned, hereby order that _____, a patient in _____ be transferred from _____ to _____.

(Signed)

A Law Officer of the Crown.

Dated this _____ day of _____, 19__.

NOTES

In the Schedule,

paragraph (1) and paragraph 2(a) of Regulation 2 were repealed by the Mental Treatment (Forms) (Regulations) (Amendment) Ordinance, 1972, section 1(a), with effect from 26th July, 1972;

Regulation 4 was repealed by the Mental Treatment (Forms) (Regulations) (Amendment) Ordinance, 1972, section 1(b), with effect from 26th July, 1972;

the words "Consultant Psychiatrist" in square brackets, wherever occurring, were substituted by the Mental Treatment (Forms) (Regulations) (Amendment) Ordinance, 1964, section 1(a), with effect from 1st December, 1964;

the words in square brackets in the definition of the expression "the Board" in Regulation 9 were substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 4, with effect from 6th May, 2004;

the definition of the expression "Consultant Psychiatrist" in Regulation 9 was substituted by the Mental Treatment (Forms) (Regulations) (Amendment) Ordinance, 1964, section 1(b), with effect from 1st December, 1964;

the words and figures in square brackets in the NOTES to Form 1, Form 2 and Form 3 were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989;

Form 5, Form 6 and Form 11 were repealed by the Mental Treatment (Forms) (Regulations) (Amendment) Ordinance, 1972, section 1(c), with effect from 26th July, 1972;

the word in the first pair of square brackets in the NOTE to Form 7 was substituted by the Mental Treatment (Amendment) (Guernsey) Law, 1972, section 1(d)(iii), with effect from 6th June, 1972;

the words in, first, the first pair of square brackets in Form 10 and, second, the third and fourth pairs of square brackets in Form 12 were substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 4, with effect from 6th May, 2004;

the words omitted in the fifth pair of square brackets in Form 12 were repealed by the Mental Treatment (Forms) (Regulations) (Amendment) Ordinance, 1972, section 1(d), with effect from 26th July, 1972.

The functions, rights and liabilities of the Board of Health and of its President arising under or by virtue of this Ordinance were transferred to and vested in, respectively, the Health and Social Services Department and its Minister by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 4, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.

In accordance with the provisions of the Criminal Justice (Bailiwick of Guernsey) Law, 1979, section 2(2), with effect from 19th December, 1979, and subject to the provisions of section 2(3) of that Law, no person shall be sentenced by a Court to imprisonment with hard labour and accordingly the powers referred to in the NOTES to Form 1, Form 2 and Form 3, shall be construed as conferring power to pass a sentence of imprisonment for a term not exceeding the maximum term for which a sentence of imprisonment

with hard labour could have been passed in that case immediately before that date.

REPEALED