
STATUTORY RULES OF NORTHERN IRELAND

2013 No. 22

**Mental Health (Private Hospitals)
Regulations (Northern Ireland) 2013**

Further modifications and adaptations of the Order

4.—(1) For the purposes of these Regulations the provisions mentioned in regulation 3 shall apply with the further modifications and adaptations prescribed in paragraphs (2) to (8).

(2) In Article 2(2) :—

- (a) In the definition of “hospital”, as if, after the word “hospital,” there were added “, private hospital”;
- (b) In the definition of “responsible authority”, as if subparagraph (a)(ii) were substituted by:—
 - “(ii) where the hospital is a private hospital, the HSC Trust with responsibility for the area in which the patient normally resides; and
 - (iii) in any other case, the regional Health and Social Care Board.”

(3) In Article 9, after paragraph (8), as if there were added:—

“(8A) The medical practitioner who carries out the examination and furnishes the report under paragraph (7) or (8) shall obtain a supporting opinion from a medical practitioner, appointed for the purposes of this Part by RQIA, who is not on the staff of the private hospital in which the patient is to be detained and who has not given the medical recommendation on which the application for assessment in relation to the patient was founded.”

(4) In Article 12:—

- (a) In the full out of paragraph (1), as if, after the words, “that report shall”, there were added, “,subject to paragraph (1A),”.
- (b) After paragraph (1), as if there were added:—

“(1A) The medical practitioner who carries out the examination and furnishes the report shall obtain a supporting opinion from a medical practitioner, appointed for the purposes of this Part by RQIA, who is not on the staff of the private hospital in which the patient is detained and who has not given either the medical recommendation on which the application for assessment in relation to the patient was founded or any medical report in relation to the patient under Article 9.”

(5) In Article 13:—

- (a) In paragraph (2), as if, after the words, “the patient shall,”, there were added, “subject to paragraph (2A),”.
- (b) After paragraph (2), as if there were added:—

“(2A) The medical practitioner who carries out the examination and furnishes the report shall obtain a supporting opinion from a medical practitioner, appointed for the purposes of this Part by RQIA, who is not on the staff of the private hospital in which the patient is detained and who has not given either the medical recommendation on which the application for assessment in relation to the patient was founded or any medical report in relation to the patient under Article 9 or 12(1).”

- (c) In paragraph (5), as if, after the words, “the patient shall,”, there were added, “subject to paragraph (5A),”.
- (d) After paragraph (5), as if there were added:–
 - “(5A) The medical practitioner who carries out the examination and furnishes the report shall obtain a supporting opinion from a medical practitioner, appointed for the purposes of this Part by RQIA, who is not on the staff of the private hospital in which the patient is detained and who has not given either the medical recommendation on which the application for assessment in relation to the patient was founded or any medical report in relation to the patient under Article 9, 12(1) or paragraph (2).”
- (6) In Article 27, as if, for each reference to “responsible authority”, there were substituted, “person carrying on a private hospital”.
- (7) In Article 28, as if, in paragraph (4)(b), after the words, “the Board”, there were added, “the person carrying on a private hospital,”.
- (8) As if, in Article 73(1) for the words, “responsible authority”, there were substituted, “person carrying on a private hospital”.