



Mental Health Act 2000

Mental Health Review Tribunal Rule 2009

Current as at 1 July 2011

Reprint note

This is the last reprint before lapse. Lapsed on 5 March 2017 by 2016 Act No. 5 s 801.



Queensland

Mental Health Review Tribunal Rule 2009

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Mental Health Review Tribunal Rule 2009

1 Short title

This rule may be cited as the *Mental Health Review Tribunal Rule 2009*.

2 Commencement

This rule commences on 28 February 2009.

3 Report for each review

- (1) This section applies to a review under chapter 6, part 1, 2, 3 or 4 of the Act.
- (2) A clinical report or report (forensic disability) about the relevant patient must—
 - (a) be prepared and signed by the relevant patient's treating psychiatrist or senior practitioner; and
 - (b) address matters relevant to a decision the tribunal may make under section 191, 197, 203 or 212 of the Act; and
 - (c) be in the form directed by the president under section 480 of the Act.
- (3) At least 7 days before the day notified, under section 189, 196, 202 or 211 of the Act, of the hearing for the review, the relevant patient's treating psychiatrist or senior practitioner must give a copy of the clinical report or report (forensic disability) to the executive officer.
- (4) Also, at least 7 days before the day notified, under section 189, 196, 202 or 211 of the Act, of the hearing for the review, the relevant patient's treating psychiatrist or senior practitioner must—
 - (a) give a copy of the clinical report or report (forensic disability) to the relevant patient; or
 - (b) make the relevant patient aware of the report's contents.

(5) However, the treating psychiatrist or senior practitioner is not required to comply with subsection (4) if the treating psychiatrist or senior practitioner intends to apply to the tribunal for a confidentiality order in relation to the clinical report or report (forensic disability).

(6) In this section—

relevant patient means the patient the subject of the review.

treating psychiatrist, of the relevant patient, means the psychiatrist currently assigned under the Act to treat the relevant patient.

senior practitioner, of the relevant patient, means the senior practitioner currently responsible for performing obligations for the patient under the *Forensic Disability Act 2011*, chapter 2, part 1.

4 Electronic filing

A document may be filed with the tribunal by electronic or computer-based means.

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 July 2011. Future amendments of the **Mental Health Review Tribunal Rule 2009** may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amd	= amendment	prov	= provision
t			
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renu	= renumbered
		m	

Key	Explanation	Key	Explanation
ins	= inserted	rep	= repealed
lap	= lapsed	(retro	= retrospectively
)	
notf	= notified	rv	= revised edition
d			
num	= numbered	s	= section
o in	= order in council	sch	= schedule
c			
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnu	= unnumbered
		m	
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	28 February 2009	
1A	2011 SL No. 123	1 July 2011	

5 List of legislation

Mental Health Review Tribunal Rule 2009 SL No. 18

made by the Governor in Council on 26 February 2009
notfd gaz 27 February 2009 pp 956–7
ss 1–2 commenced on date of notification
remaining provisions commenced 28 February 2009 (see s 2)
SIA pts 5, 7 does not apply (see 1991 No. 68 s 118B)
amending legislation—

Mental Health Review Tribunal Amendment Rule (No. 1) 2011 SL No. 123

notfd gaz 24 June 2011 pp 534–8
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2011 (see s 2)
Note—An explanatory note was prepared.

6 List of annotations

Report for each review

s 3 sub 2011 SL No. 123 s 4

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