



Queensland

# Mental Health Review Tribunal Rule 2009

## Subordinate Legislation 2009 No. 18

made under the

*Mental Health Act 2000*

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**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 Clinical 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 about the relevant patient must—
  - (a) be prepared and signed by the relevant patient’s treating psychiatrist; 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 must give a copy of the clinical report 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 must—
  - (a) give a copy of the clinical report to the relevant patient; or
  - (b) make the relevant patient aware of the clinical report’s contents.
- (5) However, the treating psychiatrist is not required to comply with subsection (4) if the treating psychiatrist intends to apply to the tribunal for a confidentiality order in relation to the clinical report.
- (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.

#### **4 Electronic filing**

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

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#### ENDNOTES

1. Made by the Governor in Council on 26 February 2009.
2. Notified in the gazette on 27 February 2009.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Health.

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