



Mental Health Act 2000

Mental Health Review Tribunal Rule 2009

Reprinted as in force on 28 February 2009

Reprint No. 1

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Information about this reprint

This rule is reprinted as at 28 February 2009.

This page is specific to this reprint. A table of reprints is included in the endnotes.

Also see endnotes for information about when provisions commenced.

Spelling

The spelling of certain words or phrases may be inconsistent with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, 'lodgement' has replaced 'lodgment').

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

Replacement reprint date If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



Queensland

Mental Health Review Tribunal Rule 2009

Contents

		Page
1	Short title	3
2	Commencement	3
3	Clinical report for each review	3
4	Electronic filing	4

Endnotes

1	Index to endnotes	5
2	Date to which amendments incorporated	5
3	Key	5
4	Table of reprints	6
5	List of legislation	6

Mental Health Review Tribunal Rule 2009

[reprinted as in force on 28 February 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 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.

[s 4]

(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.

Endnotes

1 Index to endnotes

	Page
2 Date to which amendments incorporated	5
3 Key	5
4 Table of reprints	6
5 List of legislation	6

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. 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
amdt	= amendment	prov	= provision
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	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
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	unnum	= unnumbered
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	

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)

exp 1 September 2019 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.