Mental Health Amendment Regulations
(No. 3) 2018

Made by the Governor in Executive Council.

1. Citation

These regulations are the Mental Health Amendment Regulations (No. 3) 2018.

2. Commencement

These regulations come into operation as follows —

(a) regulations 1 and 2 — on the day on which these regulations are published in the Gazette;

(b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the Mental Health Regulations 2015.

4. Regulation 19 amended

(1) In regulation 19 delete “For” and insert:

(1) For

(2) In regulation 19(h) delete “Australia.” and insert:

Australia;

(3) After regulation 19(h) insert:

(i) the department of the Public Service principally assisting in the administration of the Mental Health Act 2014;

(j) the State Administrative Tribunal established under the State Administrative Tribunal Act 2004 section 7.
(4) At the end of regulation 19 insert:

(2) For the definition of prescribed State authority in section 573(1)(b) of the Act, the following are prescribed —
   
   (a) the office of the State Coroner established under the Coroners Act 1996 section 6;
   
   (b) the office of the Public Advocate created under the Guardianship and Administration Act 1990 section 91.

5. Regulation 20 inserted

After regulation 19 insert:

20. Prescribed authorised recording, disclosure or use of information (Act s. 577(1)(h))

For section 577(1)(h) of the Act, the following circumstances are prescribed —

   (a) where the recording, disclosure or use of the information is reasonably necessary to lessen or prevent a serious risk to the life, health or safety of any individual;

   (b) where the recording, disclosure or use of the information is reasonably necessary to lessen or prevent a real or immediate risk of danger to the public.

N. HAGLEY, Clerk of the Executive Council.