

Rules made under section 63.

**MENTAL HEALTH REVIEW TRIBUNAL RULES**

**Repealed by Act 2016-18 as from 23.4.2018**

**(LN. 1972/085)**

**5.10.1972**

Amending enactments	Relevant current provisions	Commencement date
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**Title.**

1. These rules may be cited as the Mental Health Review Tribunal Rules.

**Application of Mental Health Review Tribunal rules, 1960 of the United Kingdom.**

2. The Mental Health Review Tribunal Rules, 1960, in force in England as amended from time to time, shall apply to Gibraltar subject to the following adaptations and modifications:—

(a) references in the Rules to Parts or sections of the Mental Health Act, 1959, shall be construed as references to the corresponding Parts and sections of the Mental Health Act;

(b) in rule 2—

“the Act” shall be construed as a reference to the Mental Health Act;

“officer” means the Superintendent as defined in the Act;

“reference” means a reference by the Governor under section 35 of the Mental Health Act;

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“responsible authority” means the Superintendent as defined in the Act; ’

“tribunal” means the Mental Health Review Tribunal;

- (c) for the purposes of rule 7 the person to whom notice shall be given shall be the nearest relation or the person appointed to act as nearest relation;
- (d) in rule 14(1) for the expression “subsection (3) of section 12 of the Arbitration Act, 1950” there shall be substituted “section 16 of the Arbitration Act” and for the expression “subsection (4) of that section” there shall be substituted “section 17 of that Act”;
- (e) in rule 16 the words “in England or Wales” shall be deleted;
- (f) in rule 18 for the words “the Minister” there shall be substituted “the Governor”;
- (g) rule 19 shall be deleted;
- (h) in rule 27 for the word “president” there shall be substituted “chairman”;
- (I) the forms set out in the Schedules to the rules shall be used subject to such adaptation and modifications as may be necessary to make them applicable to Gibraltar.