

TASMANIA

MENTAL HEALTH AMENDMENT BILL 2018

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MENTAL HEALTH AMENDMENT BILL 2018

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

SHANE DONNELLY, *Clerk of the House*
21 November 2018

*(Brought in by the Minister for Justice, the Honourable Elise
Nicole Archer)*

A BILL FOR

An Act to amend the *Mental Health Act 2013*

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the *Mental Health Amendment Act 2018*.

2. Commencement

This Act commences on the day on which this Act receives the Royal Assent.

3. Principal Act

In this Act, the *Mental Health Act 2013** is referred to as the Principal Act.

*No. 2 of 2013

Mental Health Amendment Act 2018
Act No. of 2018

s. 4

4. Section 181 amended (Review of treatment order)

Section 181(1) of the Principal Act is amended by omitting paragraph (f) and substituting the following paragraph:

- (f) a review need not involve a hearing, but is to be conducted –
 - (i) in the case of a review referred to in paragraph (d) and in respect of which section 47A applies in relation to the patient, by a division –
 - (A) of one member; or
 - (B) of 3 or more members; or
 - (ii) in any other case, by a division of 3 members.

5. Repeal of Act

This Act is repealed on the three hundred and sixty fifth day from the day on which it commences.