

Sections of Mental Health Act (1983) Applicable to Clinical Practice

	Section 2	Section 3	Section 4	Section 5(2)	Section 5 (4)	Section 7
Type of Application	Admission for assessment and treatment`	Admission for treatment	Emergency admission for assessment	Detention of an inpatient	Nurses holding power	Guardianship
Application	Nearest relative & ASW	Nearest relative & ASW	Nearest relative & ASW	Report from doctor in charge of pt	None	Nearest relative & ASW
Medical Recommendation	2 Drs*	2 Drs*	1 Dr	1 Dr	None	2 Drs*
Length of detention	≤28 days	≤6 months	≤72 hours	≤72 hours	≤6 hours	≤6 months
Renewable?	Must →s.3	Yes	Must→s.2/s.3	Must →s.2/s.3	Must →s.5(2)	Yes
Application to tribunal	Within 14 days	Once in each 6 month period	No	No	No	Once in each 6 month period

- 1 of the doctors must be Section 12 approved (special experience in the diagnosis and treatment of mental disorders)
- ASW= approved social worker