

CHIEF PSYCHIATRIST DELEGATION

Pursuant to section 91 of the *Mental Health Act 2009*

DELEGATION TO DIRECTORS OF TREATMENT CENTRES

WHEREAS the *Mental Health Act 2009* (the Act) confers to the Chief Psychiatrist of South Australia the power to delegate powers or functions of the Chief Psychiatrist under the Act to a particular person or to the person for the time being performing particular duties or holding or acting in a particular position

AND


WHEREAS treatment centres are established pursuant to Part 12 Division 5 of the Act

I, Dr Aaron Groves, Chief Psychiatrist, hereby delegate to the directors of treatment centres the powers and functions under the Act listed and described in the Schedule to this delegation, commencing 5 June 2017.

These powers and functions may be further delegated.

Any delegations previously executed with respect to directors of treatment centres under section 91 of the Act are revoked.

The Chief Psychiatrist may vary or revoke this delegation at any time.



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DR AARON GROVES
Chief Psychiatrist

Dated the ^{1st} day of ^{June} 2017

SCHEDULE OF POWERS AND FUNCTIONS DELEGATED FROM THE CHIEF PSYCHIATRIST TO THE DIRECTORS OF TREATMENT CENTRES

Column 1 SUBSECTIONS	Column 3 DESCRIPTION
14, 19	In the case of level 1 community treatment orders and level 2 community treatment orders ensure that there is a mental health clinician who has ongoing responsibility for monitoring and reporting to the Chief Psychiatrist on the patient's compliance with the order.
68(6)	<p>As soon as practicable after the Chief Psychiatrist has been advised by notice in the form approved by the Chief Psychiatrist of a person to whom an interstate community treatment order applies who is being treated in South Australia for the person's mental illness under subsection 68(1) or 68(2)</p> <p>(a) ensure that the person is given a written statement in the form approved by the Chief Psychiatrist (a statement of rights)—</p> <ul style="list-style-type: none"> (i) informing the person of his or her legal rights; and (ii) containing any other information prescribed by the regulations; and <p>(b) subject to subsection 68(7)—ensure that a guardian, medical agent, relative, carer or friend of the person is notified that the person is being treated for the person's mental illness in South Australia under section 68.</p>
69(2a)	<p>If the Chief Psychiatrist makes an order for the treatment of a person's mental illness in South Australia pursuant to section 69(1), ensure that, as soon as practicable after the making of the order—</p> <p>(a) the person is given a copy of—</p> <ul style="list-style-type: none"> (i) the order; and (ii) a written statement in the form approved by the Chief Psychiatrist (a statement of rights)— <ul style="list-style-type: none"> (A) informing the person of his or her legal rights; and (B) containing any other information prescribed by the regulations; and <p>(b) subject to subsection (2b)—a guardian, medical agent, relative, carer or friend of the person is notified of the making of the order and the requirements of the order.</p>
70(4)	<p>If, pursuant to section 70(1), the Chief Psychiatrist gives a direction for the transfer to an interstate treatment centre of an involuntary inpatient or a patient absent without leave from a South Australian treatment centre:</p> <p>(a) subject to subsection (5), notify a guardian, medical agent, relative, carer or friend of the patient of the transfer of the patient to the interstate treatment centre; and</p> <p>(b) if the patient is an involuntary inpatient in the South Australian treatment centre under a level 3 inpatient treatment order—notify the Tribunal of the transfer.</p>

71(2a)	<p>Where the Chief Psychiatrist approves the transfer of a person to whom an interstate inpatient treatment order applies (including an interstate patient absent without leave) to a South Australian treatment centre: ensure that, as soon as practicable after the patient is admitted to the South Australian treatment centre—</p> <ul style="list-style-type: none"> (a) the patient is given a copy of— <ul style="list-style-type: none"> (i) the order; and (ii) a written statement in the form approved by the Chief Psychiatrist (a statement of rights)— <ul style="list-style-type: none"> (A) informing the patient of his or her legal rights; and (B) containing any other information prescribed by the regulations; and (b) subject to subsection (2b)—a guardian, medical agent, relative, carer or friend of the patient is notified of the patient's admission.
79(4), 81(3)	<p>If a review by the South Australian Civil and Administrative Tribunal (Tribunal) under section 79 or section 81 relates to a patient to whom a treatment and care plan applies, cause a copy of the plan to be submitted to the Tribunal at or before the commencement of the Tribunal's proceedings on the review.</p>

