



FAMILY NAME		MRN
GIVEN NAME		<input type="checkbox"/> MALE <input type="checkbox"/> FEMALE
D.O.B. ____/____/____	M.O.	
ADDRESS		
LOCATION / WARD		
COMPLETE ALL DETAILS OR AFFIX PATIENT LABEL HERE		

Facility:

NOTICE TO DESIGNATED CARER AND PRINCIPAL CARE PROVIDER OF MATTER BEFORE THE MENTAL HEALTH REVIEW TRIBUNAL

**MENTAL HEALTH ACT 2007
Section 78(1)(h)**

Notice to designated carer and principal care provider of matter before the Mental Health Review Tribunal

This form is to provide notice to you as the Designated Carer and/or Principal Care Provider of a person having a matter heard before the Mental Health Review Tribunal. Details regarding the Tribunal and the matters they consider can be found at: Website: www.mhrt.nsw.gov.au Phone: 02 9816 5955 or 1800 815 511 Email: MHRT-MHRT@health.nsw.gov.au

All efforts will be made to advise you of the hearing in sufficient time to allow your attendance and/or feedback.

Dear _____
Full name of designated carer or principal care provider

I am contacting you as the designated carer/principal care provider of _____
(strike out text that is not applicable)

Contact details (postal address/email/telephone) _____

Notification of matter before the Mental Health Review Tribunal

I wish to advise you that _____ who is
(full name of patient)

undergoing treatment at _____
(mental health facility)

will have a matter heard before the Mental Health Review Tribunal on ____/____/____,

at approximately ____ : ____ am/pm,

at _____
(description of premises where hearing is to be held - room, floor, building, street address and suburb)

This hearing will be for the Mental Health Review Tribunal to consider (describe matter being brought before the Tribunal, referring to relevant legislation):

You are welcome to attend this hearing or to be involved by telephone if you wish and bring along a person to provide you with support. If you would like to discuss this matter further please contact

(name and designation)

on _____
(telephone number)

You should also be aware that you may be excluded from a hearing at the consumer's request. Under these circumstances, or in circumstances where you are unable to attend a hearing in person, it may be possible for you to provide a written submission. If this is applicable, please discuss this option with the contact person above.

Print Name: _____ Designation _____
(Authorised Medical Officer)

Signature _____ Date ____/____/____



SMR025250

Holes Punched as per AS2828.1: 2012

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SMR025.250

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EXTRACTS FROM THE MENTAL HEALTH ACT 2007

Section 71 Designated carer

(1) The **designated carer** of a person (the patient) for the purposes of this Act is:

- (a) the guardian of the patient, or
- (b) the parent of a patient who is a child (subject to any nomination by a patient referred to in paragraph (c)), or
- (c) if the patient is over the age of 14 years and is not a person under guardianship, a person nominated by the patient as a designated carer under this Part under a nomination that is in force, or
- (d) if the patient is not a patient referred to in paragraph (a) or (b) or there is no nomination in force as referred to in paragraph (c):
 - (i) the spouse of the patient, if any, if the relationship between the patient and the spouse is close and continuing, or
 - (ii) any individual who is primarily responsible for providing support or care to the patient (other than wholly or substantially on a commercial basis), or
 - (iii) a close friend or relative of the patient.

(2) **Close friend or relative** of a patient means a friend or relative of the patient who maintains both a close personal relationship with the patient through frequent personal contact and a personal interest in the patient's welfare and who does not provide support to the patient wholly or substantially on a commercial basis.

Relative of a patient who is an Aboriginal person or a Torres Strait Islander includes a person who is part of the extended family or kin of the patient according to the indigenous kinship system of the patient's culture.

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Section 72 Nomination of designated carers

- (1) A person may nominate up to 2 persons to be the person's designated carers for the purposes of this Act.
- (2) A person may nominate persons who are excluded from being given notice or information about the person under this Act and may revoke or vary any such nomination.
- (3) A person who is over the age of 14 years and under the age of 18 years may not exclude the person's parent by a nomination under subsection (2).
- (4) A nomination, variation or revocation is to be made in writing and may be given to an authorised medical officer at a mental health facility or a director of community treatment.
- (5) A nomination remains in force for the period prescribed by the regulations or until it is revoked in writing.
- (6) An authorised medical officer or a director of community treatment is, in carrying out his or her functions under this Act or the regulations, to give effect to a nomination or a variation or revocation of a nomination, if notified of the nomination, variation or revocation.
- (7) An authorised medical officer or a director of community treatment is not required to give effect to a nomination, or a variation or revocation of a nomination, if the officer or director reasonably believes:
 - (a) that to do so may put the patient or nominated person or any other person at risk of serious harm, or
 - (b) that the person who made the nomination, variation or revocation was incapable of making the nomination, variation or revocation.

Section 72A Principal care providers

- (1) The **principal care provider** of a person for the purposes of this Act is the individual who is primarily responsible for providing support or care to the person (other than wholly or substantially on a commercial basis).
- (2) An authorised medical officer at a mental health facility or a director of community treatment may, for the purposes of complying with a provision of this Act or the regulations, determine who is the principal care provider of a person.
- (3) The authorised medical officer or the director of community treatment must not determine that a person is the principal care provider of another person if the person is excluded from being given notice or information about the other person under this Act.
- (4) An authorised medical officer or a director of community treatment is not required to give effect to a requirement relating to a principal care provider of a person under this Act or the regulations if the officer or director reasonably believes that to do so may put the person or the principal care provider at risk of serious harm.
- (5) A principal care provider of a person may also be a designated carer of the person.



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