

AUSTRALIAN CAPITAL TERRITORY

MENTAL HEALTH (TREATMENT AND CARE) ACT 1994

EXTENSION OF OPERATION OF THE ACT

NO. 258 OF 1996

EXPLANATORY STATEMENT

The *Mental Health (Treatment and Care) Act 1994* was developed to implement the recommendations contained in the "Balancing Rights" Report of the ACT Mental Health Review Committee

The final version of the Act was based on the recommendations of the Legislative Assembly Standing Committee on Social Policy in its Report on the Inquiry into the Mental Welfare and Crimes (Amendment) Exposure Draft Bills

Section 3(2) of the *Mental Health (Treatment and Care) Act 1994* allows the Minister to "at any time before the expiration of the period of 2 years from the commencement date, extend the operation of this Act by notice published in the *Gazette*".

This instrument extends the period of the legislation for the purposes of section 3(1). Section 3(1)(b) provides that, if the Act is extended, it ceases to have effect at the expiration of 4 years from the original commencement date, 6 February 1995.

It is intended that the extension of the existing Act will allow for a detailed review of the legislation including a comprehensive consultation process with other government agencies and the community. The aim will be to determine whether it is appropriate to amend provisions within the Act including the revocation of section 3, "Application", the sunset clause of the Act