### Attachment 3: Example Instrument of Appointment – Authorised Mental Health Practitioners

#### Mental Health Act 2016

#### INSTRUMENT OF APPOINTMENT

#### For full appointment (i.e. all authorised mental health practitioner powers and functions) insert:

I, **Name of Administrator**, Administrator, **Title Authorised Mental Health Service**, under and for the purpose of the *Mental Health Act 2016*, pursuant to Chapter 11, Part 4, Division 1, section 340 of that Act, hereby appoint **Full name of health practitioner**, a health practitioner, namely **Profession**, as an AMHP to exercise all of the powers, functions and duties of an AMHP under the Act.

#### OR for limited appointment insert:

I, **Name of Administrator**, Administrator, **Title Authorised Mental Health Service**, under and for the purpose of the *Mental Health Act 2016*, pursuant to Chapter 11, Part 4, Division 1, section 340 of that Act, hereby appoint **Full name of health practitioner**, a health practitioner, namely **Profession**, as an AMHP to exercise all of the powers, functions and duties set out in the Schedule.

(Note: Remove relevant functions from Schedule).

#### For all appointments insert:

1. This appointment is effective from the date of this Instrument.

#### OR if the appointment is to take effect on a date after the signing:

This appointment is effective from **Date.**

#### For all appointments insert:

1. This appointment is subject to the following conditions:
2. In exercising the powers of an AMHP, the appointee is subject to the **Title** Authorised Mental Health Service clinical governance processes including, but not limited to, clinical accountability structures, clinical supervision and clinical review processes.
3. The appointment is effective until **Date of cessation** unless, at a sooner time:
   1. the appointee ceases to be a health practitioner of the type that is the basis for this appointment namely, **Profession**
   2. the appointment is revoked by the Administrator
   3. the Chief Psychiatrist gives written notice that the appointee stops holding the office of AMHP
   4. the appointee resigns from the position by written notice given to the Administrator, or
   5. the appointee is unable to demonstrate the necessary competencies, as outlined in the *Appointment of authorised doctors and authorised mental health practitioners* policy.

#### OR

1. The appointment is effective for the duration of the appointee’s employment at the **Title** Authorised Mental Health Service unless, at a sooner time:
2. the appointee ceases to be a health practitioner of the type that is the basis for this appointment namely, **Profession**
3. the appointment is revoked by the Administrator.
4. the Chief Psychiatrist gives written notice that the appointee stops holding the office of AMHP
5. the appointee resigns from the position by written notice given to the Administrator, or
6. the appointee is unable to demonstrate the necessary competencies, as outlined in the *Appointment of authorised doctors and authorised mental health practitioners* policy.
7. (Note: Insert any other conditions if required).
8. **Signed by:**
9. **Name of Administrator**
10. **Administrator, Title Authorised Mental Health Service**
11. **Date**

#### Functions and Powers of Authorised Mental Health Practitioners

|  |  |
| --- | --- |
| 1. **Function or Power** | 1. **Act Reference** |
| 1. **Examinations and Assessments** |  |
| 1. Examining persons under an examination authority | * Chapt. 2, Pt. 2, Div. 2 (Powers under examination authorities) |
| 1. Examination orders – extension of examination period | * Chapt. 6, Pt. 2, Div. 3 (Examination orders) |
| 1. Making recommendations for assessment | * Chapt. 2, Pt. 2, Div. 3 (Detention of particular persons to make recommendation for assessment) * Chapt. 2, Pt. 2, Div. 4 (Recommendations for assessment) |
| 1. **Classified patients** |  |
| 1. Managing the transfer of persons to an AMHS as a classified patient, including making transfer recommendations | * Chapt. 3, Pt. 2 (Transport of persons in custody to authorised mental health services) * Chapt. 3, Pt.3 (Persons in custody remaining in authorised mental health services) * Chapt. 3, Pt. 4 (Requirements applying when person in custody becomes classified patient) |
| 1. **Mechanical restraint** |  |
| 1. Use of mechanical restraint of patients in an AMHS | 1. Chapt. 8, Pt. 2 (Mechanical restraint) |
| 1. **Seclusion** |  |
| 1. Use of seclusion of patients in an AMHS | 1. Chapt. 8, Pt. 3 (Seclusion) |
| 1. **Searches** |  |
| 1. Carry out searches for harmful things | 1. Chapt. 11, Pt. 7, Div. 3 (Searches of patients of authorised mental health services or public sector health service facilities) |
| 1. **Transport of patients** |  |
| 1. Managing the transport of patients  * authorising transport * authorised person | 1. Chapt. 11, Pt, 6 (Transport of persons) |