<table>
<thead>
<tr>
<th>Name of Country &amp; Current Mental Health and Mental Capacity Regulations</th>
<th>History of Legislation &amp; Policy Developments</th>
<th>Overview of Mental Health Legislation</th>
<th>Overview of Mental Capacity Legislation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scotland</td>
<td>Mental Health Tribunal. The</td>
<td>Mental Health (Care and Treatment) (Scotland) Act 2003</td>
<td>Adults with Incapacity (Scotland) Act 2000</td>
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<td>Adults with Incapacity (Scotland) Act 2000</td>
<td>Mental Health Tribunal. The</td>
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<td>Regulations:</td>
<td>Mental Health Tribunal. The</td>
<td>Mental Health (Care and Treatment) (Scotland) Act 2003</td>
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<tr>
<td>Lunacy (Scotland) Acts (1857-1913)</td>
<td>Mental Health Tribunal. The</td>
<td>Mental Health (Care and Treatment) (Scotland) Act 2003</td>
<td>Adults with Incapacity (Scotland) Act 2000</td>
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<tr>
<td>Mental Deficiency (Scotland) Acts (1913 and 1940)</td>
<td>Mental Health Tribunal. The</td>
<td>Mental Health (Care and Treatment) (Scotland) Act 2003</td>
<td>Adults with Incapacity (Scotland) Act 2000</td>
</tr>
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<td>Mental Health (Scotland) Act 1960</td>
<td>Mental Health Tribunal. The</td>
<td>Mental Health (Care and Treatment) (Scotland) Act 2003</td>
<td>Adults with Incapacity (Scotland) Act 2000</td>
</tr>
<tr>
<td>Mental Health (Amendment) (Scotland) Act 1983</td>
<td>Mental Health Tribunal. The</td>
<td>Mental Health (Care and Treatment) (Scotland) Act 2003</td>
<td>Adults with Incapacity (Scotland) Act 2000</td>
</tr>
<tr>
<td>Mental Health Act 1984 (consolidating act)</td>
<td>Mental Health Tribunal. The</td>
<td>Mental Health (Care and Treatment) (Scotland) Act 2003</td>
<td>Adults with Incapacity (Scotland) Act 2000</td>
</tr>
<tr>
<td>The Mental Health (Detention) (Scotland) Act 1991</td>
<td>Mental Health Tribunal. The</td>
<td>Mental Health (Care and Treatment) (Scotland) Act 2003</td>
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</tr>
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<td>The Criminal Procedure (Scotland) Act 1995</td>
<td>Mental Health Tribunal. The</td>
<td>Mental Health (Care and Treatment) (Scotland) Act 2003</td>
<td>Adults with Incapacity (Scotland) Act 2000</td>
</tr>
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<td>The Mental Health (Patients in the Community) Act 1995</td>
<td>Mental Health Tribunal. The</td>
<td>Mental Health (Care and Treatment) (Scotland) Act 2003</td>
<td>Adults with Incapacity (Scotland) Act 2000</td>
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<td>The Mental Health (Public Safety and Appeals) (Scotland) Act 1999</td>
<td>Mental Health Tribunal. The</td>
<td>Mental Health (Care and Treatment) (Scotland) Act 2003</td>
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<td>Reviews &amp; Reports:</td>
<td>Mental Health Tribunal. The</td>
<td>Mental Health (Care and Treatment) (Scotland) Act 2003</td>
<td>Adults with Incapacity (Scotland) Act 2000</td>
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<td>The Dunlop Committee applying the findings of England's Percy Commission (1954-1957) to Scotland</td>
<td>Mental Health Tribunal. The</td>
<td>Mental Health (Care and Treatment) (Scotland) Act 2003</td>
<td>Adults with Incapacity (Scotland) Act 2000</td>
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<tr>
<td>Mental capacity issues are dealt with under common law</td>
<td>Regulations:</td>
<td>Mental Health (Northern Ireland) Order 1986</td>
<td>Principles (Part 1): The first principle-based capacity legislation in the UK. The Act contains a presumption of capacity and endorses decision specific approach.</td>
</tr>
<tr>
<td>Ireland</td>
<td>Regulations:</td>
<td>Mental Health (Ireland) Act 2001</td>
<td>Lunacy Regulation (Ireland) Act 1871</td>
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<td>Mental Health (Ireland) Act 2001</td>
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<td>(as amended by Mental Health Act 2008)</td>
<td>Regulations:</td>
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<tr>
<td>Part 1 is primarily concerned with definitions. The term 'mental disorder' includes mental illness, severe dementia and significant intellectual disability.</td>
<td>Regulations:</td>
<td>Mental Health (Ireland) Act 2001</td>
<td>Lunacy Regulation (Ireland) Act 1871</td>
</tr>
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<td>Part 2 outlines the procedure of involuntary admission.</td>
<td>Regulations:</td>
<td>Mental Health (Ireland) Act 2001</td>
<td>Lunacy Regulation (Ireland) Act 1871</td>
</tr>
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<td>Part 3 outlines the powers of the Mental Health Commission and the Mental Health Tribunals. Tribunals have the task of reviewing involuntary admissions. The members of the Tribunals are appointed by the Mental Health Commission.</td>
<td>Regulations:</td>
<td>Mental Health (Ireland) Act 2001</td>
<td>Lunacy Regulation (Ireland) Act 1871</td>
</tr>
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<td>Part 4 deals with the rules for consent to treatment, including consent to ECT, psychosurgery and long-term medication.</td>
<td>Regulations:</td>
<td>Mental Health (Ireland) Act 2001</td>
<td>Lunacy Regulation (Ireland) Act 1871</td>
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<tr>
<td>Part 5 regulates Approved Centres (i.e. hospitals or other in-patient facilities for the treatment of mental disorders).</td>
<td>Regulations:</td>
<td>Mental Health (Ireland) Act 2001</td>
<td>Lunacy Regulation (Ireland) Act 1871</td>
</tr>
<tr>
<td>Name of country, state or province</td>
<td>Main sources</td>
<td>Name of regulation</td>
<td>Conditions of admission</td>
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<tr>
<td>New Zealand</td>
<td>Mental Health (Compulsory Assessment and Treatment) Act 1992 Protection of Personal and Property Rights Act 1988 Code of Health and Disability Services Consumers’ Rights (1996) Mental Health Commission Act 1998</td>
<td>Mental Health (Compulsory Assessment and Treatment) Act 1992</td>
<td>The person has mental disorder, understood as: 1. an abnormal state of mind (continuous or intermittent), 2. characterised by delusions, or by disorders of mood or perception or volition or cognition, of such a degree that it 3. (a) poses a serious danger to the health or safety of that person or of others; or 3. (b) seriously diminishes the capacity of that person to take care of himself or herself.</td>
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