Ontario

Ministry of Health
and Long-Term Care

Application to the Board to Vary or Cancel Section 41.1 Orders of the Board under Section 39(9) of the Act

Form 53

Mental Health Act

Consent and Capacity Board

Part I This section must be completed by all applicants

_____
(name of psychiatric facility)

_____
(print full name of patient)

An order under s. 41.1 was made by the Board in respect of the above-named patient on the following date:

_____
(date of Board order)

☐ I have attached a copy of the order of the Board.

This application is made pursuant to:

☐ a material change in circumstances

or

☐ a temporary action taken under s. 41.2.

Explain material change in circumstances or reason(s) for temporary action. Describe any request to vary or cancel the order(s) of the Board.

_____

_____

_____

I am

☐ the Officer in Charge of the patient's psychiatric facility

or

☐ a delegate of the Officer in Charge of the patient's psychiatric facility.

_____ _____
(date) (signature of applicant)

_____
(print full name of applicant)

Part II This information is not required but will assist us in scheduling the hearing
(provide only information where known)

1. Provide the name, telephone and fax number of a hospital official who may assist in arranging the hearing and of your lawyer or agent (if any).

_____ ( ) _____ ( ) _____
(name of hospital official) (telephone no.) (fax no.)

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(name of lawyer or agent)	( ) (telephone no.)	( ) (fax no.)

2. Name, telephone and fax numbers of a lawyer or agent for the patient (if any):

(name of lawyer or agent)	( ) (telephone no.)	( ) (fax no.)

Fax completed form to the Board at 1 866 777–7273 or send by email to: ccb@ontario.ca.
Provide a copy of this form to the patient.

For assistance, call: 1 866 777 7391
TTY/TDD: 1 877 301–0TTY(0889).

Note:

1. The following actions must be taken promptly after this form is signed:
   a) The officer in charge must give the patient a copy of this form and notify a rights adviser.
   b) The rights adviser must meet with the patient and explain to him or her the significance of the application.

2. An application under s. 39(9) of the Act may be heard if the Board is satisfied that that there has been a material change in circumstances or if the application is made under s. 41.2 pursuant to a temporary action being taken contrary to a s.41.1 order made by the Board.