

MENTAL HEALTH (WALES) MEASURE 2010

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4: Mental health advocacy

51. Part 4 of the Measure amends the Mental Health Act 1983 in relation to Independent Mental Health Advocacy (IMHA). It separates the elements of the 1983 Act dealing with IMHA in Wales from the related elements dealing with IMHA in England. This has required the amendment of certain existing sections of the 1983 Act to apply in relation to England-only, and the addition of a number of new sections which deal solely with arrangements in relation to Wales.
52. The amendments in relation to England are contained in Schedules 1 and 2 of the Measure. The new sections in relation to Wales are:
 - sections 31 to 38 of the Measure insert new sections 130E to 130L to the 1983 Act;
 - section 39 of the Measure amends section 118 of the 1983 Act in respect of IMHAs in relation to Wales;
 - section 40 of the Measure amends section 143 of the 1983 Act in respect of the Assembly procedure to be applied to the making of the first regulations relating to IMHA in Wales.