

*Draft Regulations laid before Parliament under section 93(1) of the Coronavirus Act 2020, for approval by resolution of each House of Parliament.*

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DRAFT STATUTORY INSTRUMENTS

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**2020 No.**

**MENTAL HEALTH, ENGLAND AND WALES**

**The Coronavirus Act 2020 (Expiry of Mental Health Provisions) (England and Wales) Regulations 2020**

*Made - - - - 2020*  
*Coming into force in accordance with regulation 1*

The Secretary of State makes the following Regulations in exercise of the power conferred by section 90(1) and (5) of the Coronavirus Act 2020<sup>(1)</sup>.

In accordance with section 93(1) of that Act, a draft of this instrument has been laid before, and approved by a resolution of, each House of Parliament.

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Coronavirus Act 2020 (Expiry of Mental Health Provisions) (England and Wales) Regulations 2020.

(2) These Regulations come into force on the day after the day on which they are made.

(3) Paragraphs (1)(a) and (2) of regulation 2 apply in relation to England only, and paragraph (1) (b) of regulation 2 applies in relation to Wales only.

**Expiry of the Coronavirus Act 2020 mental health provisions**

2.—(1) Subject to paragraph (2), the following provisions of the Coronavirus Act 2020 expire on the day after the day on which these Regulations come into force—

(a) in relation to England, section 10(1) and Parts 1 and 2 of Schedule 8;

(b) in relation to Wales—

(i) paragraphs 5, 6, 7 and 8 of Schedule 8, and

(ii) section 10(1) and Part 1 of that Schedule insofar as that section and Part relate to those paragraphs.

(2) Paragraph (1)(a) is of no effect insofar as section 10(1) and Part 1 of Schedule 8 relate to Part 3 of that Schedule.

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**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument:  
*The Coronavirus Act 2020 (Expiry of Mental Health Provisions) (England and Wales) Regulations 2020 No. 1467*

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Date

Minister of State  
Department for Health and Social Care

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations expire parts of Schedule 8 to the Coronavirus Act 2020 (c. 7) (the “Act”) in both England and Wales. Schedule 8 to the Act made certain modifications to the Mental Health Act 1983 (c. 20) in response to coronavirus. It has not been commenced in relation to England, although some provisions of Schedule 8 have been commenced in relation to Wales.

Regulation 2 expires section 10(1) of, and Schedule 8 to, the Act, insofar as those provisions apply to England. It does not, however, expire Part 3 of Schedule 8, which makes transitional provision, and nor does it expire section 10(1) of the Act or Part 1 of that Schedule in so far as those provisions relate to Part 3 of Schedule 8.

Regulation 2 also expires paragraphs 5, 6, 7, and 8 of Schedule 8 in so far as they apply to Wales. These provisions make temporary modifications to the Mental Health Act 1983 in relation to people suffering from a mental disorder who are accused or convicted of offences. These provisions have not been commenced.