

*These notes refer to the Mental Health Act 2007
(c.12) which received Royal Assent on 19 July 2007*

MENTAL HEALTH ACT 2007

EXPLANATORY NOTES

TERRITORIAL EXTENT

11. Generally, the 2007 Act has the same extent as the provisions that it amends. It applies for the most part only to England and Wales.
12. The 1983 Act has provisions for the transfer of patients to and from Scotland, Northern Ireland, the Channel Islands and the Isle of Man. These are amended by the 2007 Act to make it possible to transfer patients subject to non-resident treatment outside England and Wales (currently this will only apply to patients in Scotland) to SCT in England and Wales and vice versa.

Territorial application: Wales

13. [Section 38](#) provides for the continuation of the MHRT for Wales, and Schedule 2 to the 1983 Act is amended to provide for the appointment by the Lord Chancellor of a President for that Tribunal.
14. Annex A provides further detail on the provisions in the 2007 Act containing new functions that will transfer, so far as exercisable in relation to Wales, to Welsh Ministers.