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STATUTORY INSTRUMENTS

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**2009 No. 2376**

**MENTAL HEALTH, ENGLAND  
MENTAL CAPACITY, ENGLAND**

**The Mental Health and Mental Capacity (Advocacy)  
Amendment (England) Regulations 2009**

*Made* - - - - *2nd September 2009*  
*Laid before Parliament* *7th September 2009*  
*Coming into force* - - *12th October 2009*

The Secretary of State, in exercise of the powers conferred by sections 35(2) and (3) and 64(1) of the Mental Capacity Act 2005<sup>(1)</sup> and sections 130A(2) and (3) and 130C(5) of the Mental Health Act 1983<sup>(2)</sup>, makes the following Regulations.

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(1) 2005 c.9. Section 64(1) is cited because of the meaning it gives to “prescribed”.  
(2) 1983 c.20. Section 130A is inserted by section 30 of the Mental Health Act 2007 (c.12). Section 130C(5) is cited because of the meaning it gives to the “appropriate national authority” which makes provision as to the appointment of advocates under section 130A of the Act.