
EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the twelfth commencement order made under the Mental Health Act 2007 (“the 2007 Act”) and brings into force on 1st December 2017 the provisions set out in Article 2 of this Order. These provisions rename certain judicial offices in the Mental Health Review Tribunal for Wales by amending the Mental Health Act 1983 (“the 1983 Act”). Specifically, they rename the role of “chairman” of the Tribunal as “president” and, where the term “president” as it is currently used under the 1983 Act to refer to the chair of a Tribunal constituted for particular proceedings, it is replaced with “chairman”.

Article 3 makes provision for the person holding the office of chairman of a tribunal immediately before the coming into force of the amendments to continue to occupy that office under its new designation.

The person named under paragraph 6 of Schedule 2 to the 1983 Act as president of a tribunal constituted for particular proceedings is re-named by the amending provisions as that tribunal’s chairman. Article 4 makes provision to ensure that a person who is already presiding, or who has been appointed to preside, over a particular tribunal will continue as its chairman on the coming into force of the amendments.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.