

# **MENTAL HEALTH (WALES) MEASURE 2010**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Section 13 – Meaning of “mental health service provider”***

21. **Section 13** establishes what is meant by a mental health service provider within the context of this Part of the Measure.
22. Welsh Ministers have been included in the list of mental health service providers as they have general and specific powers under the National Health Service (Wales) Act 2006 to provide services. However subsection (2) makes clear that where an LHB is providing a service under a function in relation to which directions have made the function exercisable by the LHB under the 2006 Act, the service is to be treated as being provided by the LHB and not the Welsh Ministers.