

MENTAL HEALTH (WALES) MEASURE 2010

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 33 – Further provision about independent mental health advocacy for Welsh qualifying informal patients

57. **Section 33** introduces new section 130G into the 1983 Act, the effect of which is to set out the nature of the help which an IMHA may must be made available to Welsh qualifying informal patients.
58. The reference to help in obtaining information about and understanding the authority by which treatment is given will be, in the case of patients who lack mental capacity in relation to the treatment, the authority provided by section 5 of the Mental Capacity Act 2005.