## MENTAL HEALTH (WALES) MEASURE 2010

## **EXPLANATORY NOTES**

## **COMMENTARY ON SECTIONS**

## Section 49 – Meaning of secondary mental health services

- 84. This section provides the meaning of secondary mental health services, a term used in various provisions throughout Parts 1, 2 and 3 of the Measure. Within this context community care services has the same meaning as in section 46 of National Health Service and Community Care Act 1990, ie services which a local authority may provide or arrange to be provided under any of the following provisions
  - Part III of the National Assistance Act 1948;
  - section 45 of the Health Services and Public Health Act 1968;
  - section 254 of, and Schedule 20 to, the National Health Service Act 2006, and section 192 of, and Schedule 15 to, the National Health Service (Wales) Act 2006;
  - section 117 of the Mental Health Act 1983.
- 85. The Welsh Minister may use an order to amend or expand the meaning of secondary mental health services for the purposes of any provision of the Measure. The Welsh Ministers may also, for example, use such an order or orders to provide that services delivered within other jurisdictions are to be considered as equivalent to secondary mental health services within Wales, for the purposes of relevant sections of Part 3.