



# Mental Health (Wales) Measure 2010

2010 nawm 7

## PART 1

### LOCAL PRIMARY MENTAL HEALTH SUPPORT SERVICES

#### *Primary mental health assessments*

- 8 Duties to carry out primary mental health assessments: secondary mental health care referrals**
- (1) This section applies to an individual who falls within any of the following descriptions—
- (a) an individual who is liable to be detained under the Mental Health Act 1983;
  - (b) an individual who is subject to guardianship under that Act;
  - (c) an individual who is a community patient within the meaning given by section 17A of that Act;
  - (d) an individual who is receiving secondary mental health services.
- (2) A primary mental health assessment must be carried out in respect of the individual in accordance with section 9 if—
- (a) the relevant scheme provides under section 2(4)(b) that primary mental health assessments are to be made available in respect of all or specified categories of the individuals referred to in subsection (1);
  - (b) the individual falls within the scheme's description of those individuals in respect of whom primary mental health assessments are to be made available; and
  - (c) a relevant referral for the purposes of this section is made.
- (3) A relevant referral for the purposes of this section means a request that an individual has a primary mental health assessment which meets the following conditions.
- (4) The first condition is that the request is made to a local mental health partner for the local authority area in which the individual is usually resident.

*Status: This is the original version (as it was originally enacted).*

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- (5) The second condition is that the request is made by a member of staff who falls within a category specified in the scheme for that local authority area under section 2(5).