



# Mental Health Act 2007

## 2007 CHAPTER 12

### PART 3

#### GENERAL

#### 54 Consequential provisions

- (1) The Secretary of State may by order made by statutory instrument make supplementary, incidental or consequential provision for the purposes of, in consequence of, or for giving full effect to a provision of this Act.
- (2) An order under subsection (1) may, in particular—
  - (a) amend or repeal any provision of an Act passed before, or in the same Session as, this Act;
  - (b) amend or revoke any provision of subordinate legislation made before the passing of this Act;
  - (c) include transitional or saving provision in connection with the coming into force of provision made by the order.
- (3) In relation to provision which deals with matters with respect to which functions are exercisable by the Welsh Ministers—
  - (a) the power under subsection (1) is exercisable by the Secretary of State only with agreement of the Welsh Ministers, and
  - (b) the power under that subsection is also exercisable by the Welsh Ministers except that provision may not be made by virtue of subsection (2)(a).
- (4) The amendments that may be made by virtue of subsection (2) are in addition to those made by or by virtue of any other provision of this Act.
- (5) A statutory instrument containing an order under subsection (1) which makes provision by virtue of subsection (2)(a) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.

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*Status: Point in time view as at 28/10/2008.*

*Changes to legislation: There are currently no known outstanding effects for the Mental Health Act 2007, Section 54. (See end of Document for details)*

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- (6) A statutory instrument containing any other order under subsection (1) made by the Secretary of State is subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) A statutory instrument containing an order under subsection (1) made by the Welsh Ministers is subject to annulment in pursuance of a resolution of the National Assembly for Wales.
- (8) In subsection (2), “subordinate legislation” has the same meaning as in the Interpretation Act 1978 (c. 30).

**Status:**

Point in time view as at 28/10/2008.

**Changes to legislation:**

There are currently no known outstanding effects for the Mental Health Act 2007, Section 54.