

These notes refer to the Mental Health (Approval Functions) Act 2012 (c.18) which received Royal Assent on 31st October 2012

MENTAL HEALTH (APPROVAL FUNCTIONS) ACT 2012

EXPLANATORY NOTES

COMMENTARY ON THE SECTIONS

Section 2 - Commencement, extent and short title

10. Subsection (1) provides for the Act to come into force on Royal Assent. The Act operates only on approvals given before this date.
11. Subsection (2) provides for the Act to extend to the whole of the United Kingdom. Although the approvals to which section 1 relates were given in cases involving patients in England or Wales, it is possible that a patient detained in England or Wales might be transferred to Scotland or Northern Ireland for detention there. By providing that the retrospective validation extends to Scotland and Northern Ireland, the Act removes any doubt about the validity of the detention in Scotland or Northern Ireland.