

2003 No. 2042

NATIONAL HEALTH SERVICE, ENGLAND

**The Mental Health (Correspondence of Patients, Patient
Advocacy and Liaison Services) Regulations 2003**

Made - - - - - *11th August 2003*

Laid before Parliament *11th August 2003*

Coming into force - - *1st September 2003*

The Secretary of State, in exercise of the powers conferred upon him by section 134(3A)(a) of the Mental Health Act 1983(a) and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation, commencement and application

1.—(1) These Regulations may be cited as the Mental Health (Correspondence of Patients, Patient Advocacy and Liaison Services) Regulations 2003 and shall come into force on 1st September 2003.

(2) These Regulations apply to England only.

Patient advocacy and liaison service

2. In section 134 of the Mental Health Act 1983 (correspondence of patients), for the purposes of subsection (3)(ea)(b), “patient advocacy and liaison service” means a service affording assistance in the form of advice and liaison for patients, their families and carers provided by—

- (a) an NHS trust(c); or
- (b) a Primary Care Trust(d).

Signed by authority of the Secretary of State

11th August 2003

Warner
Parliamentary Under Secretary of State,
Department of Health

(a) 1983 c. 20. Subsection (3A) was inserted by paragraph 6 of Schedule 5, Part 1 to the Health and Social Care Act 2001 (c. 15) (the 2001 Act).
(b) Section 134(3)(ea) was inserted by paragraph 6 of Schedule 5, Part 1 to the 2001 Act.
(c) See section 5 of the National Health Service and Community Care Act 1990 (c. 19).
(d) See section 16A of the National Health Service Act 1977 (c. 49).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision to define a “patient advocacy and liaison service” for the purposes of section 134(3)(ea) of the Mental Health Act 1983. Section 134 concerns circumstances in which correspondence of patients may be withheld; correspondence with such a service is exempted.

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