OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2008 Rhif 2441 (Cy.214)

2008 No. 2441 (W.214)

IECHYD MEDDWL, CYMRU

MENTAL HEALTH, WALES

Gorchymyn Iechyd Meddwl (Nyrsys) (Cymru) 2008

The Mental Health (Nurses) (Wales) Order 2008

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)

Mae'r Gorchymyn hwn yn dirymu ac yn disodli Gorchymyn Iechyd Meddwl (Nyrsys) 1998. Mae'n rhagnodi'r dosbarthau o nyrsys sy'n cael pŵer o dan adran 5(4) o Ddeddf Iechyd Meddwl 1983 ("Deddf 1983") i gadw'n gaeth, hyd at chwe awr, glaf sy'n cael triniaeth ar gyfer anhwylder meddwl fel claf mewnol mewn ysbyty. Mae'r Gorchymyn yn adlewyrchu newid wrth gofrestru nyrsys yn y gofrestr a gynhelir o dan erthygl 5 o Orchymyn Nyrsio a Bydwreigiaeth 2001, sydd bellach yn darparu bod nyrsys yn cael eu cofrestru drwy gyfeiriad at gofnod sy'n dangos eu maes ymarfer perthnasol ac sy'n darparu at ddibenion adran 5(4) bod yn rhaid i gofnodion o'r fath a restrir o dan naill ai Is-ran 1 neu Is-ran 2 o'r gofrestr fod yn perthyn naill ai i nyrsio iechyd meddwl neu i nyrsio anableddau dysgu.

Nid oes asesiad o effaith rheoleiddiol wedi'i baratoi.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes and replaces the Mental Health (Nurses) Order 1998. It prescribes the classes of nurse empowered under section 5(4) of the Mental Health Act 1983 ("the 1983 Act") to detain, for up to six hours, a patient who is receiving treatment for mental disorder as a hospital in–patient. The Order reflects a change to the registration of nurses within the register maintained under article 5 of the Nursing and Midwifery Order 2001, which now provides for nurses to be registered by reference to an entry indicating their relevant field of practice and provides that for the purposes of section 5(4) such entries listed under either Sub–Parts 1 or 2 of the register must relate either to mental health or learning disabilities nursing.

A regulatory impact assessment has not been prepared.

OFFERYNNAU STATUDOL CYMRU

2008 Rhif 2441 (Cy.214)

IECHYD MEDDWL, CYMRU

Gorchymyn Iechyd Meddwl (Nyrsys) (Cymru) 2008

Gwnaed	*15 Medi 2008*
Yn dod i rym	*3 Tachwedd 2008*

Mae Gweinidogion Cymru drwy arfer y pwerau a roddir gan adrannau 5(4) a (7) a 143 Ddeddf Iechyd Meddwl 1983(**1**) drwy hyn yn gwneud y Gorchymyn canlynol:-

Enwi, cychwyn a chymhwyso

1. Enw'r Gorchymyn hwn yw Gorchymyn Iechyd Meddwl (Nyrsys) (Cymru) 2008, daw i rym ar 3 Tachwedd 2008 ac mae'n gymwys o ran Cymru.

Dosbarthau a ragnodwyd o nyrsys at ddibenion adran 5(4) o Ddeddf Iechyd Meddwl 1983

2.-(1) At ddibenion adran 5(4) o Ddeddf Iechyd Meddwl 1983 (pŵer i gadw claf yn gaeth mewn ysbyty am fwyafswm o 6 awr) nyrs o'r dosbarth a ragnodwyd yw nyrs a gafodd ei chofrestru yn naill ai Is-ran 1 neu Is-ran 2 o'r gofrestr a gynhelir o dan erthygl 5 o Orchymyn Nyrsio a Bydwreigiaeth 2001(**2**), ar yr amod bod cofrestriad o'r nyrs yn cynnwys cofnod fel a bennir ym mharagraff (2).

(2) Mae cofnod yn y gofrestr y cyfeirir ato ym mharagraff (1) naill ai:-

(a) yn gofnod sy'n dangos mai maes ymarfer y nyrs yw nyrsio iechyd meddwl; neu

(b) yn gofnod sy'n dangos mai maes ymarfer y nyrs yw nyrsio anableddau dysgu.

(**1**) 1983 p.20 (fel y'i diwygiwyd gan Ddeddf Iechyd Meddwl 2007 p.12).

(**2**) O.S. 2002/253.

WELSH STATUTORY INSTRUMENTS

2008 No. 2441 (W.214)

MENTAL HEALTH, WALES

The Mental Health (Nurses) (Wales) Order 2008

Made	*15 September 2008*
Coming into force	*3 November 2008*

The Welsh Ministers in exercise of the powers conferred by sections 5(4) and (7) and 143 of the Mental Health Act 1983(**1**) hereby make the following Order:–

Title, commencement and application

1. The title of this Order is the Mental Health (Nurses) (Wales) Order 2008, it comes into force on 3 November 2008 and applies in relation to Wales.

Prescribed classes of nurse for the purposes of section 5(4) of the Mental Health Act 1983

2.–(1) For the purposes of section 5(4) of the Mental Health Act 1983 (power to detain patient in hospital for maximum of 6 hours) a nurse of the prescribed class is a nurse registered in either Sub–Part 1 or Sub–Part 2 of the register maintained under article 5 of the Nursing and Midwifery Order 2001(**2**), provided that the registration of the nurse includes an entry as specified in paragraph (2).

(2) An entry in the register as referred to in paragraph (1) is either:–

(a) an entry indicating that the nurse's field of practice is mental health nursing; or

(b) an entry indicating that the nurse's field of practice is learning disabilities nursing.

(**1**) 1983 c.20 (as amended by the Mental Health Act 2007 c.12).

(**2**) S.I. 2002/253.

Dirymu

3. Dirymir Gorchymyn Iechyd Meddwl (Nyrsys) 1998(**1**) o ran Cymru.

Revocations

3. The Mental Health (Nurses) Order 1998(**1**) is revoked in relation to Wales.

Edwina Hart

Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru

Minister for Health and Social Services, one of the Welsh Ministers

15 Medi 2008

15 September 2008

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(**1**) O.S. 1998/2625.

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MENTAL HEALTH, WALES

Gorchymyn Iechyd Meddwl (Nyrsys) (Cymru) 2008

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