



Mental Health (Wales) Measure 2010

2010 nawm 7

PART 4

MENTAL HEALTH ADVOCACY

40 Procedures for making regulations under the Mental Health Act 1983

(1) Section 143 of the Mental Health Act 1983 is amended as follows.

(2) In subsection (3A), for “(3D)” substitute “ (3DB) ”.

(3) After subsection (3D) insert–

“(3DA) Subsection (3C) does not apply to regulations to which subsection (3DB) applies.

(3DB) A statutory instrument which contains (alone or with other provisions) the first regulations to be made under any of the following provisions–

- (a) section 130E(2),
- (b) section 130E(4)(b),
- (c) section 130E(5)(b),
- (d) section 130F(2)(d),
- (e) section 130G(2)(c), or
- (f) section 130H(1)(b)(ii),

must not be made unless a draft of the instrument containing the regulations has been laid before, and approved by resolution of, the National Assembly for Wales.”

Commencement Information

- I1** S. 40 in force in so far as not already in force at 2.4.2012 by [S.I. 2011/3046](#), [art. 3\(g\)](#) (with [art. 5](#))
- I2** S. 40 in force for specified purposes at 3.1.2012 by [S.I. 2011/3046](#), [art. 2\(g\)](#) (with [art. 5](#))

Changes to legislation:

There are currently no known outstanding effects for the Mental Health (Wales) Measure 2010, Section 40.