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STATUTORY INSTRUMENTS

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**2008 No. 1900**

**The Mental Health Act 2007 (Commencement  
No. 7 and Transitional Provisions) Order 2008**

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Mental Health Act 2007 (Commencement No.7 and Transitional Provisions) Order 2008 and shall come into force on 3rd November 2008 immediately after the coming into force of the Mental Health Act 2007 (Commencement No. 6 and After-care under Supervision: Savings, Modifications and Transitional Provisions) Order 2008<sup>(1)</sup> and immediately before the coming into force of the Transfer of Tribunal Functions Order 2008<sup>(2)</sup>.

(2) In this Order—

“the 2007 Act” means the Mental Health Act 2007;

“the 1983 Act” means the Mental Health Act 1983<sup>(3)</sup>.

**Commencement of provisions**

2. The following provisions of the 2007 Act shall come into force on 3rd November 2008—

- (a) section 1 and Schedule 1, insofar as not already in force;
- (b) sections 2 to 16;
- (c) section 18, insofar as it applies to England and is not already in force;
- (d) section 21, insofar as it gives effect to Schedule 2 in relation to England;
- (e) section 22, insofar as not already in force;
- (f) sections 23 to 25;
- (g) sections 27 to 29;
- (h) section 31(1), (2) and (4);
- (i) section 32 and Schedule 3, insofar as they are not already in force, and Schedule 4;
- (j) sections 33 and 34;
- (k) section 35, insofar as not already in force;
- (l) section 37;
- (m) section 38(1) and (2), and insofar as they apply in relation to Wales, subsections (3)(e), (5) (for the purposes of subsection (7)(b)), and (7)(b);
- (n) section 39(1) and (2), insofar as it gives effect to paragraphs 1, 3, 4, 6, 10, 12, 15 to 17, and, insofar as they are not already in force, paragraphs 18 and 21 of Schedule 5;
- (o) section 48 which gives effect to Schedule 6;
- (p) section 55, insofar as it gives effect to Parts 1 to 4 and 6, 8 and 9 of Schedule 11.

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(1) [S.I. 2008/1210 \(C.52\)](#).

(2) This order is subject to affirmative resolution and was laid on 4 June 2008.

(3) [1983 c.20](#).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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**Schedule**

3. The Schedule to this Order, which makes transitional and saving provisions, shall have effect.

Signed by authority of the Secretary of State for Health.

17th July 2008

*Ivan Lewis*  
Parliamentary Under-Secretary of State,  
Department of Health