

MENTAL HEALTH (WALES) MEASURE 2010

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 31 – Independent mental health advocates: Wales

53. This section creates new section 130E in the 1983 Act which places a duty on the Welsh Ministers to make arrangements for help to be provided by IMHAs. Such help must be made available to two client groups: Welsh qualifying compulsory patients and Welsh qualifying informal patients.
54. The persons who are considered to be Welsh qualifying compulsory patients are set out in new section 130I of the 1983 Act (as introduced by section 35 of the Measure). New section 130J (as introduced by section 36 of the Measure) sets out the persons who are considered to be Welsh qualifying informal patients.
55. The Welsh Ministers can make regulations setting out, for example, the standards and qualifications that will need to be met by an individual in order to be approved as an IMHA. These regulations can make different provisions for different cases. This will allow account to be taken of the different needs of different groups of patients.