



# Mental Health Act 2007

## 2007 CHAPTER 12

### PART 1

#### AMENDMENTS TO MENTAL HEALTH ACT 1983

### CHAPTER 2

#### PROFESSIONAL ROLES

##### *Approved mental health professionals*

#### **18 Approved mental health professionals**

For section 114 of the 1983 Act (appointment of approved social workers) and the cross-heading immediately above it substitute—

##### *“Approved mental health professionals*

#### **114 Approval by local social services authority**

- (1) A local social services authority may approve a person to act as an approved mental health professional for the purposes of this Act.
- (2) But a local social services authority may not approve a registered medical practitioner to act as an approved mental health professional.
- (3) Before approving a person under subsection (1) above, a local social services authority shall be satisfied that he has appropriate competence in dealing with persons who are suffering from mental disorder.
- (4) The appropriate national authority may by regulations make provision in connection with the giving of approvals under subsection (1) above.

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*Changes to legislation: There are currently no known outstanding effects for the Mental Health Act 2007, Section 18. (See end of Document for details)*

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- (5) The provision which may be made by regulations under subsection (4) above includes, in particular, provision as to—
- (a) the period for which approvals under subsection (1) above have effect;
  - (b) the courses to be undertaken by persons before such approvals are to be given and during the period for which such approvals have effect;
  - (c) the conditions subject to which such approvals are to be given; and
  - (d) the factors to be taken into account in determining whether persons have appropriate competence as mentioned in subsection (3) above.
- (6) Provision made by virtue of subsection (5)(b) above may relate to courses approved or provided by such person as may be specified in the regulations (as well as to courses approved under section 114A below).
- (7) An approval by virtue of subsection (6) above may be in respect of a course in general or in respect of a course in relation to a particular person.
- (8) The power to make regulations under subsection (4) above includes power to make different provision for different cases or areas.
- (9) In this section “the appropriate national authority” means—
- (a) in relation to persons who are or wish to become approved to act as approved mental health professionals by a local social services authority whose area is in England, the Secretary of State;
  - (b) in relation to persons who are or wish to become approved to act as approved mental health professionals by a local social services authority whose area is in Wales, the Welsh Ministers.
- (10) In this Act “approved mental health professional” means—
- (a) in relation to acting on behalf of a local social services authority whose area is in England, a person approved under subsection (1) above by any local social services authority whose area is in England, and
  - (b) in relation to acting on behalf of a local social services authority whose area is in Wales, a person approved under that subsection by any local social services authority whose area is in Wales.”

#### **Commencement Information**

- II** [S. 18](#) not in force at Royal Assent see [s. 56\(1\)](#); [s. 18](#) in force for specified purposes at 1.4.2008 by [S.I. 2008/745](#), [arts. 2\(a\), 3\(b\)](#); [s. 18](#) in force insofar as not already in force for E. at 3.11.2008 by [S.I. 2008/1900](#), [art. 2\(c\)](#) (with [art. 3, Sch.](#)); [s. 18](#) in force insofar as not already in force at 3.11.2008 by [S.I. 2008/2561](#), [art. 2\(a\)](#) (with [art. 3, Sch.](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Mental Health Act 2007, Section 18.