



Mental Health Act 2007

2007 CHAPTER 12

PART 1

AMENDMENTS TO MENTAL HEALTH ACT 1983

CHAPTER 8

MISCELLANEOUS

47 Welsh Ministers: procedure for instruments

- (1) Section 143 of the 1983 Act (general provisions as to regulations, orders and rules) is amended as follows.
- (2) In subsection (2), for “or rules made” substitute “ made by the Secretary of State, or rules made, ”.
- (3) After subsection (3) insert—
 - “(3A) Subsections (3B) to (3D) apply where power to make regulations or an order under this Act is conferred on the Welsh Ministers (other than by or by virtue of the Government of Wales Act 2006).
 - (3B) Any power of the Welsh Ministers to make regulations or an order shall be exercisable by statutory instrument.
 - (3C) Any statutory instrument containing regulations, or an order under section 68A(7) above, made by the Welsh Ministers shall be subject to annulment in pursuance of a resolution of the National Assembly for Wales.
 - (3D) No order shall be made under section 68A(1) above by the Welsh Ministers unless a draft of it has been approved by a resolution of the National Assembly for Wales.
 - (3E) In this section—

Changes to legislation: *There are currently no known outstanding effects for the Mental Health Act 2007, Section 47. (See end of Document for details)*

- (a) references to the Secretary of State include the Secretary of State and the Welsh Ministers acting jointly; and
- (b) references to the Welsh Ministers include the Welsh Ministers and the Secretary of State acting jointly.”

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