

SCHEDULE

TRANSITIONAL AND SAVING PROVISIONS

Interpretation

1. In this Schedule—

“ASW” means an approved social worker as defined in section 145(1) of the 1983 Act immediately before the commencement day;

“AMHP” means an approved mental health professional;

“commencement day” means 3rd November 2008;

“LSSA” means a local social services authority;

“the Approval Regulations” means the Mental Health (Approval of Persons to be Approved Mental Health Professionals) (Wales) Regulations 2008(1).

AMHPs: general

2. Where a person is approved as an ASW by an LSSA in Wales immediately before the commencement day, that person shall be treated as an AMHP approved by that LSSA in relation to Wales (“a Welsh approval”) and the Approval Regulations shall apply to the extent set out in the following provisions of this Schedule.

3. Any decision made or action taken by an ASW before the commencement day shall be treated as made or taken by an AMHP.

AMHPs approved in relation to Wales

4. Subject to regulation 5 of the Approval Regulations, a Welsh approval shall be for the unexpired period of that person’s approval as an ASW.

5. Regulation 5 of the Approval Regulations shall apply to a Welsh approval as if paragraph 2(c) of that regulation read—

“(c) if, in the opinion of the approving LSSA, that person does not possess the relevant competencies;”.

6. A Welsh approval shall be subject to the conditions set out in regulation 7 of the Approval Regulations.

7. Any ASW whose registration as a social worker is suspended immediately before commencement day, shall be treated as an AMHP whose approval as an AMHP is suspended in accordance with regulation 6 of the Approval Regulations for so long as their registration as a social worker is suspended.

8. A Welsh approval may be suspended in accordance with regulation 6 of the Approval Regulations.

9. An LSSA in Wales shall record details of a Welsh approval in accordance with regulation 9 of the Approval Regulations, as if paragraph (1)(c) of that regulation read—

“(c) the date that the person was approved as an ASW, and the date on which that approval expires;”.

Status: This is the original version (as it was originally made).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