
STATUTORY INSTRUMENTS

2009 No. 139

**The Mental Health Act 2007 (Commencement
No.10 and Transitional Provisions) Order 2009**

Citation and interpretation

1.—(1) This Order may be cited as the Mental Health Act 2007 (Commencement No. 10 and Transitional Provisions) Order 2009 and shall come into force on the 1st April 2009.

(2) In this Order,

“the 2005 Act” means the Mental Capacity Act 2005(1); and

“the Act” means the Mental Health Act 2007.

Appointed day

2. The 1st April 2009 is the day appointed for the coming into force of the following provisions of the Act—

- (a) section 30 (independent mental health advocates), in so far as it applies to England and is not already in force;
- (b) section 50 (deprivation of liberty) in so far as not already in force;
- (c) Schedule 7 (which inserts new Schedule A1 into the 2005 Act) in so far as not already in force;
- (d) Schedule 8 (which inserts new Schedule 1A into the 2005 Act);
- (e) Schedule 9 (which makes other amendments to the 2005 Act and to other Acts) in so far as not already in force; and
- (f) Part 10 (deprivation of liberty) of Schedule 11 and in so far as it relates to that Part, section 55 (repeals and revocations) of the Act.

Schedule

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

Signed by authority of the Secretary of State for Health.

29th January 2009

Phil Hope
Minister of State,
Department of Health