



OFFERYNNAU STATUDOL
CYMRU

WELSH
STATUTORY INSTRUMENTS

2008 Rhif 2441 (Cy.214)

2008 No. 2441 (W.214)

IECHYD MEDDWL, CYMRU

MENTAL HEALTH, WALES

**Gorchymyn Iechyd Meddwl
(Nyrsys) (Cymru) 2008**

**The Mental Health (Nurses)
(Wales) Order 2008**

NODYN ESBONIADOL

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)

(This note is not part of the Order)

Mae'r Gorchymyn hwn yn dirymu ac yn disodli Gorchymyn Iechyd Meddwl (Nyrsys) 1998. Mae'n rhagnodi'r dosbarthau o nyrsys sy'n cael pŵer o dan adran 5(4) o Ddeddf Iechyd Meddwl 1983 ("Deddf 1983") i gadw'n gaeth, hyd at chwe awr, glaf sy'n cael triniaeth ar gyfer anhwylder meddwl fel claf mewnol mewn ysbyty. Mae'r Gorchymyn yn adlewyrchu newid wrth gofrestru nyrsys yn y gofrestr a gynhelir o dan erthygl 5 o Orchymyn Nyrsio a Bydwreigiaeth 2001, sydd bellach yn darparu bod nyrsys yn cael eu cofrestru drwy gyfeiriad at gofnod sy'n dangos eu maes ymarfer perthnasol ac sy'n darparu at ddibenion adran 5(4) bod yn rhaid i gofnodion o'r fath a restrir o dan naill ai Is-ran 1 neu Is-ran 2 o'r gofrestr fod yn perthyn naill ai i nyrsio iechyd meddwl neu i nyrsio anabledau dysgu.

This Order revokes and replaces the Mental Health (Nurses) Order 1998. It prescribes the classes of nurse empowered under section 5(4) of the Mental Health Act 1983 ("the 1983 Act") to detain, for up to six hours, a patient who is receiving treatment for mental disorder as a hospital in-patient. The Order reflects a change to the registration of nurses within the register maintained under article 5 of the Nursing and Midwifery Order 2001, which now provides for nurses to be registered by reference to an entry indicating their relevant field of practice and provides that for the purposes of section 5(4) such entries listed under either Sub-Parts 1 or 2 of the register must relate either to mental health or learning disabilities nursing.

Nid oes asesiad o effaith rheoleiddiol wedi'i baratoi.

A regulatory impact assessment has not been prepared.

2008 Rhif 2441 (Cy.214)

2008 No. 2441 (W.214)

IECHYD MEDDWL, CYMRU

MENTAL HEALTH, WALES

**Gorchymyn Iechyd Meddwl
(Nyrsys) (Cymru) 2008**

**The Mental Health (Nurses)
(Wales) Order 2008**

Gwnaed 15 Medi 2008

Made 15 September 2008

Yn dod i rym 3 Tachwedd 2008

Coming into force 3 November 2008

Mae Gweinidogion Cymru drwy arfer y pwerau a roddir gan adrannau 5(4) a (7) a 143 Ddeddf Iechyd Meddwl 1983(1) drwy hyn yn gwneud y Gorchymyn canlynol:-

The Welsh Ministers in exercise of the powers conferred by sections 5(4) and (7) and 143 of the Mental Health Act 1983(1) hereby make the following Order:-

Enwi, cychwyn a chymhwyso

Title, commencement and application

1. Enw'r Gorchymyn hwn yw Gorchymyn Iechyd Meddwl (Nyrsys) (Cymru) 2008, daw i rym ar 3 Tachwedd 2008 ac mae'n gymwys o ran Cymru.

1. The title of this Order is the Mental Health (Nurses) (Wales) Order 2008, it comes into force on 3 November 2008 and applies in relation to Wales.

Dosbarthau a ragnodwyd o nyrsys at ddibenion adran 5(4) o Ddeddf Iechyd Meddwl 1983

Prescribed classes of nurse for the purposes of section 5(4) of the Mental Health Act 1983

2.-(1) At ddibenion adran 5(4) o Ddeddf Iechyd Meddwl 1983 (pŵer i gadw claf yn gaeth mewn ysbyty am fwyafswm o 6 awr) nyrs o'r dosbarth a ragnodwyd yw nyrs a gafodd ei chofrestru yn naill ai Is-ran 1 neu Is-ran 2 o'r gofrestr a gynhelir o dan erthygl 5 o Orchymyn Nyrsio a Bydwreigiaeth 2001(2), ar yr amod bod cofrestrriad o'r nyrs yn cynnwys cofnod fel a bennir ym mharagraff (2).

2.-(1) For the purposes of section 5(4) of the Mental Health Act 1983 (power to detain patient in hospital for maximum of 6 hours) a nurse of the prescribed class is a nurse registered in either Sub-Part 1 or Sub-Part 2 of the register maintained under article 5 of the Nursing and Midwifery Order 2001(2), provided that the registration of the nurse includes an entry as specified in paragraph (2).

(2) Mae cofnod yn y gofrestr y cyfeirir ato ym mharagraff (1) naill ai:-

(2) An entry in the register as referred to in paragraph (1) is either:-

- (a) yn gofnod sy'n dangos mai maes ymarfer y nyrs yw nyrsio iechyd meddwl; neu
- (b) yn gofnod sy'n dangos mai maes ymarfer y nyrs yw nyrsio anableddau dysgu.

- (a) an entry indicating that the nurse's field of practice is mental health nursing; or
- (b) an entry indicating that the nurse's field of practice is learning disabilities nursing.

(1) 1983 p.20 (fel y'i diwygiwyd gan Ddeddf Iechyd Meddwl 2007 p.12).

(2) O.S. 2002/253.

(1) 1983 c.20 (as amended by the Mental Health Act 2007 c.12).

(2) S.I. 2002/253.

Dirymu

3. Dirymir Gorchymyn Iechyd Meddwl (Nyrsys) 1998(1) o ran Cymru.

Revocations

3. The Mental Health (Nurses) Order 1998(1) is revoked in relation to Wales.

Edwina Hart

Y Gweinidog dros Iechyd a Gwasanaethau
Cymdeithasol, un o Weinidogion Cymru

Minister for Health and Social Services, one of the
Welsh Ministers

15 Medi 2008

15 September 2008

©[©] Hawlfraint y Goron 2008

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

© Crown copyright 2008

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

OFFERYNNAU STATUDOL
CYMRU

WELSH
STATUTORY INSTRUMENTS

2008 Rhif 2441 (Cy.214)

2008 No. 2441 (W.214)

IECHYD MEDDWL, CYMRU

MENTAL HEALTH, WALES

Gorchymyn Iechyd Meddwl
(Nyrsys) (Cymru) 2008

The Mental Health (Nurses)
(Wales) Order 2008

£4.00

W372/10/08

ON