



Mental Health (Wales) Measure 2010

2010 nawm 7

PART 1

LOCAL PRIMARY MENTAL HEALTH SUPPORT SERVICES

Primary mental health assessments

- 7 Duties to carry out primary mental health assessments: other primary care referrals**
- (1) This section applies to an individual—
 - (a) who does not fall within any of the descriptions in section 8(1); and
 - (b) in respect of whom a relevant referral for the purposes of this section is made.
 - (2) A primary mental health assessment must be carried out in respect of the individual in accordance with section 9.
 - (3) A relevant referral for the purposes of this section means a request that an individual has a primary mental health assessment which meets the following conditions.
 - (4) The first condition is that the request is made by—
 - (a) a contractor with whom a general medical services contract has been entered into under section 42 of the National Health Service (Wales) Act 2006 by—
 - (i) the Local Health Board to which the request is made, or
 - (ii) where the request is made to a local authority, the Local Health Board which is the authority's local mental health partner;
 - (b) a person with whom arrangements have been made under section 50 of that Act by—
 - (i) the Local Health Board to which the request is made, or
 - (ii) where the request is made to a local authority, the Local Health Board which is the authority's local mental health partner;
 - (c) a registered medical practitioner employed for the purposes of section 41 of that Act by—

Changes to legislation: There are currently no known outstanding effects for the Mental Health (Wales) Measure 2010, Section 7. (See end of Document for details)

- (i) the Local Health Board to which the request is made, or
 - (ii) where the request is made to a local authority, the Local Health Board which is the authority's local mental health partner; or
- (d) a registered medical practitioner providing services to prisoners under arrangements made between the registered medical practitioner and a person responsible for the provision or running of a contracted out prison (within the meaning of section 84(4) of the Criminal Justice Act 1991) in Wales.
- (5) The second condition is that the request is made to a local mental health partner for the local authority area in which the contractor, person or practitioner carries on the majority of the contractor's, person's or practitioner's business or activities.
- (6) The third condition is that the individual in respect of whom the request is made falls within a category specified in–
 - (a) regulations made by the Welsh Ministers; or
 - (b) the scheme for that local authority area under section 2(4)(c).

Commencement Information

- I1** S. 7 in force in so far as not already in force at 1.10.2012 by S.I. 2012/2411, art. 2(c)
- I2** S. 7 partly in force; s. 7 in force at 15.2.2011 in so far as it confers power to make subordinate legislation see s. 55

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