

*These notes refer to the Mental Health Act 2007  
(c.12) which received Royal Assent on 19 July 2007*

# **MENTAL HEALTH ACT 2007**

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## **EXPLANATORY NOTES**

### **COMMENTARY**

#### **Part 1 – Amendments to Mental Health Act 1983**

#### *Chapter 2 - Professional Roles*

#### *Section 16: Certain registered medical practitioners to be treated as approved under section 12 of 1983 Act*

62. **Section 16** amends section 12 of the 1983 Act so that a registered medical practitioner who has been approved as an AC is also approved for the purposes of section 12. Under section 12 of the 1983 Act, at least one of the two doctors recommending detention must be a practitioner who has been approved by the Secretary of State as having special experience in the diagnosis or treatment of mental disorder (in relation to Wales the function of approving practitioners is exercisable by the Welsh Ministers). It is expected that the competencies a registered medical practitioner will require in order to be approved as an AC will be such that they will have the "special experience in the diagnosis or treatment of mental disorder" required for section 12 approval. ACs who are not registered medical practitioners will not be deemed to be section 12 approved.