
STATUTORY INSTRUMENTS

2010 No. 236

**The National Assembly for Wales (Legislative Competence)
(Health and Health Services and Social Welfare) Order 2010**

Amendments relating to the field of health and health services

2.—(1) Field 9 (health and health services) of Part 1 of Schedule 5 to the 2006 Act is amended in accordance with this article.

(2) After matter 9.1(1) insert —

“Matter 9.2

Assessment of mental health and treatment of mental disorder.

This matter does not include any of the following—

- (a) subjecting patients to—
 - (i) compulsory attendance at any place for the purposes of assessment or treatment,
 - (ii) compulsory supervision, or
 - (iii) guardianship;
- (b) consent to assessment or treatment;
- (c) restraint;
- (d) detention.

For the purposes of this matter, “treatment of mental disorder” means treatment to alleviate, or prevent a worsening of, a mental disorder or one or more of its symptoms or manifestations; and it includes (but is not limited to) nursing, psychological intervention, habilitation, rehabilitation and care.”.

(3) Under the heading *“Interpretation of this field”*, after the definition of “illness” insert—

““mental disorder” means any disorder or disability of the mind, apart from dependence on alcohol or drugs;”.