

## SCHEDULE

### **Modifications to Acts of Parliament relating to the abolition of Welsh Health Authorities and creation of Local Health Boards**

#### **Acts of Parliament**

#### **Mental Health Act 1983 (c. 20)**

13.—(1) The Mental Health Act 1983 is amended as follows.

(2) In section 23 (discharge of patients) —

- (a) in subsection (3) for “Health Authority”, in both places where it occurs, there is substituted “Local Health Board”;
- (b) in subsection (4) after “trust”, in each place where it occurs, there is inserted “, board”;
- (c) in subsection (5) in the words before paragraph (a) after “trust”, in both places where it occurs, there is inserted “, board”; and
- (d) in subsection (5)(a) —
  - (i) for “Health Authority”, in both places where it occurs, there is substituted “Local Health Board”;
  - (ii) for “or trust” in both places where it occurs, there is substituted, “, trust or board”; and
  - (iii) for “such members (of the authority, trust, committee or sub-committee)” there is substituted, “such members (of the authority, trust, board, committee or sub-committee)”.

(3) In section 24 (visiting and examination of patients), in subsection (3) for “Health Authority”, in both places where it occurs, there is substituted “Local Health Board”.

(4) In section 25A (application for supervision), in subsections (6), (7) and (8) for “Health Authority”, in each place where it occurs, there is substituted “Local Health Board”.

(5) In section 25C (supervision applications: supplementary), in subsection (6) for “Health Authority” there is substituted “Local Health Board”.

(6) In section 25F (reclassification of patient subject to after-care under supervision), in subsection (1) for “Health Authority” there is substituted “Local Health Board”.

(7) In section 32 (regulations for the purposes of Part 2), in subsection (3) —

- (a) for “Health Authorities” there is substituted “Local Health Board”; and
- (b) after “managers” there is inserted “, boards”.

(8) In section 39 (information as to hospitals) —

- (a) in subsection (1) for “Health Authority” in each place where it occurs, there is substituted “Local Health Board”;
- (b) in subsection 1(b) for “any other” substitute “the National Assembly for Wales or any other”;
- (c) in subsection (1) before the words “have or can reasonably” insert “or National Assembly for Wales”; and
- (d) in subsection (1) before the words “shall comply with any such request” insert “or National Assembly for Wales”.

(9) In section 117 (after-care) in subsections (2), (2A) and (3) for “Health Authority”, in each place where it occurs, there is substituted “Local Health Board”.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(10) In section 134 (correspondence of patients), in subsection 3(e) for “Health Authority” there is substituted “Local Health Board”.

(11) In section 139 (protection for acts done in pursuance of this act), in subsection (4) for “Health Authority” there is substituted “Local Health Board”.

(12) In section 140 (notification of hospitals having arrangements for reception of urgent cases), for “Health Authority”, in each place where it occurs, there is substituted “Local Health Board”.

(13) In section 145 (interpretation), in subsection (1) —

(i) in the appropriate alphabetical position there is inserted —

““Local Health Board” means a Local Health Board established under section 11 of the National Health Services (Wales) Act 2006;” and

(ii) in the definition of “the managers” for “Health Authority” there is substituted “Local Health Board”.