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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2012 Rhif 1397 (Cy.169) (C.52)**

**2012 No. 1397 (W.169) (C.52)**

**IECHYD MEDDWL, CYMRU A  
LLOEGR**

**MENTAL HEALTH, ENGLAND  
AND WALES**

Gorchymyn Mesur Iechyd Meddwl  
(Cymru) 2010 (Cychwyn Rhif 2)  
2012

The Mental Health (Wales)  
Measure 2010 (Commencement  
No.2) Order 2012

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

*(This note is not part of the Order)*

Gwneir y Gorchymyn hwn o dan adrannau 52(2) a 55(3) o Fesur Iechyd Meddwl (Cymru) 2010 ("y Mesur"). Mae erthygl 2 yn rhestru'r darpariaethau sydd i ddod i rym ar 6 Mehefin 2012.

This Order is made under sections 52(2) and 55(3) of the Mental Health (Wales) Measure 2010 ("the Measure"). Article 2 lists the provisions which are to come into force on 6 June 2012.

Mae'r Gorchymyn hwn yn cychwyn Rhan 2 o'r Mesur, sy'n ei gwneud yn ofynnol bod darparwyr gwasanaeth iechyd meddwl perthnasol yn penodi cydgyssylltydd gofal ar gyfer cleifion perthnasol. Mae Rhan 2 hefyd yn pennu swyddogaethau cydgyssylltydd gofal. Mae'r Gorchymyn hwn hefyd yn cychwyn Rhan 3 o'r Mesur, sy'n gwneud darpariaeth ar gyfer asesu defnyddwyr blaenorol gwasanaethau iechyd meddwl eilaidd. Cychwynnir hefyd rai o ddarpariaethau Rhan 5 o'r Mesur, i'r graddau y maent yn ymwneud â Rhannau 2 a 3.

This Order commences Part 2 of the Measure which requires the relevant mental health service providers to appoint a care coordinator for relevant patients. Part 2 also sets out the functions of a care coordinator. This Order also commences Part 3 of the Measure which makes provision for the assessment of former users of secondary mental health services. It also commences some provisions of Part 5 of the Measure in so far as they relate to Parts 2 and 3.

**NODYN YNGHYLCH GORCHMYNION  
CYCHWYN BLAENOROL**

**NOTE AS TO EARLIER  
COMMENCEMENT ORDERS**

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

*(This note is not part of the Order)*

Mae darpariaethau canlynol y Mesur wedi eu dwyn i rym mewn perthynas â Chymru a Lloegr gan orchymyn cychwyn a wnaed cyn dyddiad y Gorchymyn hwn.

The following provisions of the Measure have been brought into force in relation to England and Wales by a commencement order made before the date of this Order.

<i>Darpariaeth</i>	<i>Dyddiad cychwyn</i>	<i>O.S. Rhif</i>
Adran 1	8 Mai 2012	2011/3046 (Cy.321) (C.116)
Adran 2	8 Mai 2012	2011/3046 (Cy.321)(C.116)
Adran 4	8 Mai 2012	2011/3046 (Cy.321)(C.116)
Adran 5	8 Mai 2012	2011/3046 (Cy.321)(C.116)
Adran 11	8 Mai 2012	2011/3046 (Cy.321)(C.116)
Adran 31	3 Ionawr 2012 (yn rhannol) 2 Ebrill 2012 (yn llawn)	2011/3046 (Cy.321)(C.116)
Adran 32	3 Ionawr 2012	2011/3046 (Cy.321)(C.116)
Adran 33	2 Ebrill 2012	2011/3046 (Cy.321)(C.116)
Adran 34	3 Ionawr 2012 (yn rhannol) 2 Ebrill 2012 (yn llawn)	2011/3046 (Cy.321)(C.116)
Adran 35	3 Ionawr 2012	2011/3046 (Cy.321)(C.116)
Adran 36	2 Ebrill 2012	2011/3046 (Cy.321)(C.116)
Adran 37	3 Ionawr 2012	2011/3046 (Cy.321)(C.116)
Adran 38	2 Ebrill 2012	2011/3046 (Cy.321)(C.116)
Adran 39	3 Ionawr 2012 (yn rhannol) 2 Ebrill 2012 (yn llawn)	2011/3046 (Cy.321)(C.116)
Adran 40	3 Ionawr 2012 (yn rhannol) 2 Ebrill 2012 (yn llawn)	2011/3046 (Cy.321)(C.116)
Adran 43	8 Mai 2012 (yn rhannol)	2011/3046 (Cy.321)(C.116)
Adran 44	3 Ionawr 2012	2011/3046 (Cy.321)(C.116)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1	8 May 2012	2011/3046 (W.321) (C.116)
Section 2	8 May 2012	2011/3046 (W.321) (C.116)
Section 4	8 May 2012	2011/3046 (W.321) (C.116)
Section 5	8 May 2012	2011/3046 (W.321) (C.116)
Section 11	8 May 2012	2011/3046 (W.321) (C.116)
Section 31	3 January 2012 (partially) 2 April 2012 (fully)	2011/3046 (W.321) (C.116)
Section 32	3 January 2012	2011/3046 (W.321) (C.116)
Section 33	2 April 2012	2011/3046 (W.321) (C.116)
Section 34	3 January 2012 (partially) 2 April 2012 (fully)	2011/3046 (W.321) (C.116)
Section 35	3 January 2012	2011/3046 (W.321) (C.116)
Section 36	2 April 2012	2011/3046 (W.321) (C.116)
Section 37	3 January 2012	2011/3046 (W.321) (C.116)
Section 38	2 April 2012	2011/3046 (W.321) (C.116)
Section 39	3 January 2012 (partially) 2 April 2012 (fully)	2011/3046 (W.321) (C.116)
Section 40	3 January 2012 (partially) 2 April 2012 (fully)	2011/3046 (W.321) (C.116)
Section 43	8 May 2012 (partially)	2011/3046 (W.321) (C.116)
Section 44	3 January 2012	2011/3046 (W.321) (C.116)

Adran 45	8 Mai 2012	2011/3046 (Cy.321)(C.116)
Adran 53(1)	3 Ionawr 2012 (yn rhannol) 2 Ebrill 2012 (yn llawn)	2011/3046 (Cy.321)(C.116)
Adran 54	3 Ionawr 2012 (yn rhannol) 2 Ebrill 2012 (yn llawn)	2011/3046 (Cy.321)(C.116)
Atodlen 1	3 Ionawr 2012 (yn rhannol) 2 Ebrill 2012 (yn llawn)	2011/3046 (Cy.321)(C.116)
Atodlen 2	3 Ionawr 2012 (yn rhannol) 2 Ebrill 2012 (yn llawn)	2011/3046 (Cy.321)(C.116)

*Gweler* hefyd adran 55(1) o'r Mesur, ar gyfer y darpariaethau a ddaeth i rym ar y dyddiad ddau fis ar ôl cymeradwyo'r Mesur gan Ei Mawrhydi yn y Cyfrin Gyngor.

Section 45	8 May 2012	2011/3046 (W.321) (C.116)
Section 53(1)	3 January 2012 (partially) 2 April 2012 (fully)	2011/3046 (W.321) (C.116)
Section 54	3 January 2012 (partially) 2 April 2012 (fully)	2011/3046 (W.321) (C.116)
Schedule 1	3 January 2012 (partially) 2 April 2012 (fully)	2011/3046 (W.321) (C.116)
Schedule 2	3 January 2012 (partially) 2 April 2012 (fully)	2011/3046 (W.321) (C.116)

*See* also section 55(1) of the Measure for the provisions that came into force on the date two months after which the Measure was approved by Her Majesty in Council.

**2012 Rhif 1397 (Cy.169) (C.52)**

**IECHYD MEDDWL, CYMRU A  
LLOEGR**

**Gorchymyn Mesur Iechyd Meddwl  
(Cymru) 2010 (Cychwyn Rhif 2)  
2012**

*Gwnaed*

*28 Mai 2012*

Mae Gweinidogion Cymru yn gwneud y Gorchymyn canlynol drwy arfer y pwerau a roddir gan adrannau 52(2) a 55(3) o Fesur Iechyd Meddwl (Cymru) 2010(1).

**Enwi a dehongli**

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Mesur Iechyd Meddwl (Cymru) 2010 (Cychwyn Rhif 2) 2012.

(2) Yn y Gorchymyn hwn, ystyr "y Mesur" ("*the Measure*") yw Mesur Iechyd Meddwl (Cymru) 2010.

**Darpariaethau'r Mesur sy'n dod i rym ar 6  
Mehefin 2012**

2. Mae darpariaethau canlynol y Mesur yn dod i rym ar 6 Mehefin 2012—

- (a) Adran 12 (ystyr "claf perthnasol");
- (b) Adran 13 (ystyr "darparydd gwasanaeth iechyd meddwl");
- (c) Adran 14 (dyletswydd i benodi cydgysylltydd gofal ar gyfer claf perthnasol);
- (d) Adran 15 (dynodi'r darparydd gwasanaeth iechyd meddwl perthnasol ar gyfer claf perthnasol);
- (e) Adran 16 (darpariaeth bellach ynghylch penodi cydgysylltwyr gofal);
- (f) Adran 17 (dyletswydd i gydgysylltu darpariaeth gwasanaethau iechyd meddwl) ac eithrio i'r graddau y mae'n ymwneud â Rhan 1 o'r Mesur;
- (g) Adran 18 (swyddogaethau'r cydgysylltydd gofal) ac eithrio i'r graddau y mae'n ymwneud â Rhan 1 o'r Mesur;

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**MENTAL HEALTH, ENGLAND  
AND WALES**

**The Mental Health (Wales)  
Measure 2010 (Commencement  
No.2) Order 2012**

*Made*

*28 May 2012*

The Welsh Ministers make the following Order in exercise of the powers conferred by sections 52(2) and 55(3) of the Mental Health (Wales) Measure 2010(1).

**Title and interpretation**

1.—(1) The title of this Order is the Mental Health (Wales) Measure 2010 (Commencement No.2) Order 2012.

(2) In this Order "the Measure" ("*y Mesur*") means the Mental Health (Wales) Measure 2010.

**Provisions of the Measure coming into force on 6  
June 2012**

2. The following provisions of the Measure come into force on 6 June 2012—

- (a) Section 12 (meaning of "relevant patient");
- (b) Section 13 (meaning of "mental health service provider");
- (c) Section 14 (duty to appoint a care coordinator for a relevant patient);
- (d) Section 15 (identification of the relevant mental health service provider for a relevant patient);
- (e) Section 16 (further provision about the appointment of care coordinators);
- (f) Section 17 (duty to coordinate provision of mental health services) except so far as it relates to Part 1 of the Measure;
- (g) Section 18 (functions of the care coordinator) except so far as it relates to Part 1 of the Measure;

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| <ul style="list-style-type: none"> <li>(h) Adran 19 (trefniadau ar gyfer asesu defnyddwyr blaenorol o wasanaethau iechyd meddwl eilaidd);</li> <li>(i) Adran 20 (dyletswydd i gynnal asesiadau);</li> <li>(j) Adran 21 (methiant i gytuno ar drefniadau);</li> <li>(k) Adran 22 (hawl i asesiad);</li> <li>(l) Adran 23 (asesiadau: y cyfnod rhyddhau perthnasol);</li> <li>(m) Adran 24 (darparu gwybodaeth am asesiadau);</li> <li>(n) Adran 25 (diben asesu);</li> <li>(o) Adran 26 (asesiadau: darpariaeth bellach);</li> <li>(p) Adran 27 (camau yn dilyn asesiad);</li> <li>(q) Adran 28 (atgyfeiriadau sy'n ymwneud â gwasanaethau tai neu wasanaethau llesiant);</li> <li>(r) Adran 29 (penderfynu man preswyllo arferol);</li> <li>(s) Adran 30 (cymhwysiad y Rhan hon i bersonau o dan warcheidiaeth awdurdod lleol);</li> <li>(t) Adran 41 (cydweithio a gweithio ar y cyd rhwng Byrddau Iechyd Lleol ac awdurdodau lleol) i'r graddau y mae'n ymwneud â Rhan 2 a Rhan 3 o'r Mesur;</li> <li>(u) Adran 42 (rhannu gwybodaeth) i'r graddau y mae'n ymwneud â Rhan 2 a Rhan 3 o'r Mesur;</li> <li>(v) Adran 43 (diwygio Deddf Gwasanaethau Cymdeithasol Awdurdodau Lleol 1970) i'r graddau y mae'n ymwneud â Rhan 2 a Rhan 3 o'r Mesur;</li> <li>(w) Adran 46 (Rhan 3: y pŵer i sicrhau darpariaeth ranbarthol); ac</li> <li>(x) Adran 47 (rheoliadau o ran yr unigolion y caniateir iddynt gynnal asesiadau iechyd meddwl sylfaenol a gweithredu fel cydgysylltwyr gofal) i'r graddau y mae'n ymwneud â Rhan 2 o'r Mesur.</li> </ul> | <ul style="list-style-type: none"> <li>(h) Section 19 (arrangements for assessment of former users of secondary mental health services);</li> <li>(i) Section 20 (duty to carry out assessments);</li> <li>(j) Section 21 (failure to agree arrangements);</li> <li>(k) Section 22 (entitlement to assessment);</li> <li>(l) Section 23 (assessments: the relevant discharge period);</li> <li>(m) Section 24 (provision of information about assessments);</li> <li>(n) Section 25 (purpose of assessment);</li> <li>(o) Section 26 (assessments: further provision);</li> <li>(p) Section 27 (action following an assessment);</li> <li>(q) Section 28 (referrals relating to housing or well-being services);</li> <li>(r) Section 29 (determination of usual residence);</li> <li>(s) Section 30 (application of this Part to persons under local authority guardianship);</li> <li>(t) Section 41 (cooperative and joint working between Local Health Boards and local authorities) in so far as it relates to Part 2 and Part 3 of the Measure;</li> <li>(u) Section 42 (information sharing) in so far as it relates to Part 2 and Part 3 of the Measure;</li> <li>(v) Section 43 (amendment of the Local Authority Social Services Act 1970) in so far as it relates to Part 2 and Part 3 of the Measure;</li> <li>(w) Section 46 (Part 3: power to secure regional provision); and</li> <li>(x) Section 47 (regulations as to the individuals who may carry out primary mental health assessments and act as care coordinators) in so far as it relates to Part 2 of the Measure.</li> </ul> |
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*Lesley Griffiths*

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol,  
un o Weinidogion Cymru

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

28 Mai 2012

28 May 2012

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