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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2012 Rhif 2411 (Cy.261) (C.93)**

**2012 No. 2411 (W.261) (C.93)**

**IECHYD MEDDWL, CYMRU A  
LLOEGR**

**MENTAL HEALTH, ENGLAND  
AND WALES**

Gorchymyn Mesur Iechyd Meddwl  
(Cymru) 2010 (Cychwyn Rhif 3)  
2012

The Mental Health (Wales)  
Measure 2010 (Commencement  
No.3) Order 2012

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

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

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

Mae'r Gorchymyn hwn wedi ei wneud 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 1 Hydref 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 1 October 2012.

Mae'r Gorchymyn hwn yn cychwyn gweddill Rhan 1 o'r Mesur sy'n ei gwneud yn ofynnol i'r Byrddau Iechyd Lleol a'r awdurdod lleol ar gyfer ardal awdurdod lleol ("partneriaid iechyd meddwl lleol") ddarparu gwasanaethau cymorth iechyd meddwl sylfaenol lleol yn unol â chynllun y mae'r partneriaid iechyd meddwl lleol ar gyfer yr ardal honno wedi cytuno arno neu a benderfynwyd gan Weinidogion Cymru. Mae Rhan 1 o'r Mesur hefyd yn ei gwneud yn ofynnol gwneud asesiad iechyd meddwl sylfaenol o unigolion mewn amgylchiadau penodol.

This Order commences the remainder of Part 1 of the Measure which requires the Local Health Boards and the local authority for a local authority area ("local mental health partners") to provide local primary mental health support services in accordance with a scheme agreed between the local mental health partners for that area or determined by the Welsh Ministers. Part 1 of the Measure also requires a primary mental health assessment of individuals to be undertaken in certain circumstances.

Mae'r Gorchymyn hwn hefyd yn cychwyn gweddill darpariaethau'r Mesur.

This Order also commences the remaining provisions of the Measure.

**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 o ran Cymru a Lloegr drwy 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>Y Ddarpariaeth</i>	<i>Y 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 12	6 Mehefin 2012	2012/1397 (Cy.169) (C.52)
Adran 13	6 Mehefin 2012	2012/1397 (Cy.169) (C.52)
Adran 14	6 Mehefin 2012	2012/1397 (Cy.169) (C.52)
Adran 15	6 Mehefin 2012	2012/1397 (Cy.169) (C.52)
Adran 16	6 Mehefin 2012	2012/1397 (Cy.169) (C.52)
Adran 17	6 Mehefin 2012 (yn rhannol)	2012/1397 (Cy.169) (C.52)
Adran 18	6 Mehefin 2012 (yn rhannol)	2012/1397 (Cy.169) (C.52)
Adran 19	6 Mehefin 2012	2012/1397 (Cy.169) (C.52)
Adran 20	6 Mehefin 2012	2012/1397 (Cy.169) (C.52)
Adran 21	6 Mehefin 2012	2012/1397 (Cy.169) (C.52)
Adran 22	6 Mehefin 2012	2012/1397 (Cy.169) (C.52)
Adran 23	6 Mehefin 2012	2012/1397 (Cy.169) (C.52)
Adran 24	6 Mehefin 2012	2012/1397 (Cy.169) (C.52)
Adran 25	6 Mehefin 2012	2012/1397 (Cy.169) (C.52)
Adran 26	6 Mehefin 2012	2012/1397 (Cy.169) (C.52)
Adran 27	6 Mehefin 2012	2012/1397 (Cy.169) (C.52)

<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 12	6 June 2012	2012/1397 (W.169) (C.52)
Section 13	6 June 2012	2012/1397 (W.169) (C.52)
Section 14	6 June 2012	2012/1397 (W.169) (C.52)
Section 15	6 June 2012	2012/1397 (W.169) (C.52)
Section 16	6 June 2012	2012/1397 (W.169) (C.52)
Section 17	6 June 2012 (partially)	2012/1397 (W.169) (C.52)
Section 18	6 June 2012 (partially)	2012/1397 (W.169) (C.52)
Section 19	6 June 2012	2012/1397 (W.169) (C.52)
Section 20	6 June 2012	2012/1397 (W.169) (C.52)
Section 21	6 June 2012	2012/1397 (W.169) (C.52)
Section 22	6 June 2012	2012/1397 (W.169) (C.52)
Section 23	6 June 2012	2012/1397 (W.169) (C.52)
Section 24	6 June 2012	2012/1397 (W.169) (C.52)
Section 25	6 June 2012	2012/1397 (W.169) (C.52)
Section 26	6 June 2012	2012/1397 (W.169) (C.52)
Section 27	6 June 2012	2012/1397 (W.169) (C.52)

Adran 28	6 Mehefin 2012	2012/1397 (Cy.169) (C.52)
Adran 29	6 Mehefin 2012	2012/1397 (Cy.169) (C.52)
Adran 30	6 Mehefin 2012	2012/1397 (Cy.169) (C.52)
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 41	6 Mehefin 2012 (yn rhannol)	2012/1397 (Cy.169) (C.52)
Adran 42	6 Mehefin 2012 (yn rhannol)	2012/1397 (Cy.169) (C.52)
Adran 43	8 Mai 2012 (yn rhannol)	2011/3046 (Cy.321) (C.116)
	6 Mehefin 2012 (yn rhannol)	2012/1397 (Cy.169) (C.52)
Adran 44	3 Ionawr 2012	2011/3046 (Cy.321) (C.116)
Adran 45	8 Mai 2012	2011/3046 (Cy.321) (C.116)

Section 28	6 June 2012	2012/1397 (W.169) (C.52)
Section 29	6 June 2012	2012/1397 (W.169) (C.52)
Section 30	6 June 2012	2012/1397 (W.169) (C.52)
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 41	6 June 2012 (partially)	2012/1397 (W.169) (C.52)
Section 42	6 June 2012 (partially)	2012/1397 (W.169) (C.52)
Section 43	8 May 2012 (partially)	2011/3046 (W.321) (C.116)
	6 June 2012 (partially)	2012/1397 (W.169) (C.52)
Section 44	3 January 2012	2011/3046 (W.321) (C.116)
Section 45	8 May 2012	2011/3046 (W.321) (C.116)

Adran 46	6 Mehefin 2012	2012/1397 (Cy.169) (C.52)
Adran 47	6 Mehefin 2012 (yn rhannol)	2012/1397 (Cy.169) (C.52)
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 46	6 June 2012	2012/1397 (W.169) (C.52)
Section 47	6 June 2012 (partially)	2012/1397 (W.169) (C.52)
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 2411 (Cy.261) (C.93)**

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AND WALES**

**Gorchymyn Mesur Iechyd Meddwl  
(Cymru) 2010 (Cychwyn Rhif 3)  
2012**

**The Mental Health (Wales)  
Measure 2010 (Commencement  
No.3) Order 2012**

*Gwnaed*

*15 Medi 2012*

*Made*

*15 September 2012*

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

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).

**Enwi a dehongli**

**Title and interpretation**

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Mesur Iechyd Meddwl (Cymru) 2010 (Cychwyn Rhif 3) 2012.

1.—(1) The title of this Order is the Mental Health (Wales) Measure 2010 (Commencement No.3) Order 2012.

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

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

**Darpariaethau'r Mesur sy'n dod i rym ar 1 Hydref 2012**

**Provisions of the Measure coming into force on 1 October 2012**

2. Daw darpariaethau canlynol y Mesur i rym ar 1 Hydref 2012—

2. The following provisions of the Measure come into force on 1 October 2012—

- (a) Adran 3 (dyletswydd i ddarparu gwasanaethau cymorth iechyd meddwl sylfaenol lleol);
- (b) Adran 6 (dyletswyddau i gynnal asesiadau iechyd meddwl sylfaenol: atgyfeiriadau ar gyfer cleifion cofrestredig mewn gofal sylfaenol);
- (c) Adran 7 (dyletswyddau i gynnal asesiadau iechyd meddwl sylfaenol: atgyfeiriadau gofal sylfaenol eraill);
- (d) Adran 8 (dyletswyddau i gynnal asesiadau iechyd meddwl sylfaenol: atgyfeiriadau gofal iechyd meddwl eilaidd);
- (e) Adran 9 (cynnal asesiadau iechyd meddwl sylfaenol);
- (f) Adran 10 (camau i'w cymryd yn sgil asesiad iechyd meddwl sylfaenol);

- (a) Section 3 (duty to provide local primary mental health support services);
- (b) Section 6 (duties to carry out primary mental health assessments: referrals for registered patients in primary care);
- (c) Section 7 (duties to carry out primary mental health assessments: other primary care referrals);
- (d) Section 8 (duties to carry out primary mental health assessments: secondary mental health care referrals);
- (e) Section 9 (conduct of primary mental health assessments);
- (f) Section 10 (action following a primary mental health assessment);

- (g) Adran 17 (dyletswydd i gydgyssylltu darpariaeth gwasanaethau iechyd meddwl) i'r graddau nad yw eisoes mewn grym;
  - (h) Adran 18 (swyddogaethau'r cydgyssylltydd gofal) i'r graddau nad yw eisoes mewn grym;
  - (i) Adran 41 (cydweithio a gweithio ar y cyd rhwng Byrddau Iechyd Lleol ac awdurdodau lleol) i'r graddau nad yw eisoes mewn grym;
  - (j) Adran 42 (rhannu gwybodaeth) i'r graddau nad yw eisoes mewn grym;
  - (k) Adran 43 (diwygio Deddf Gwasanaethau Cymdeithasol Awdurdodau Lleol 1970) i'r graddau nad yw eisoes mewn grym;
  - (l) Adran 47 (rheoliadau o ran yr unigolion y caniateir iddynt gynnal asesiadau iechyd meddwl sylfaenol a gweithredu fel cydgyssylltwyr gofal) i'r graddau nad yw eisoes mewn grym; ac
  - (m) Adran 48 (dyletswydd i adolygu'r Mesur).
- (g) Section 17 (duty to coordinate provision of mental health services) in so far as it is not already in force;
  - (h) Section 18 (functions of the care coordinator) in so far as it is not already in force;
  - (i) Section 41 (cooperative and joint working between Local Health Boards and local authorities) in so far as it is not already in force;
  - (j) Section 42 (information sharing) in so far as it is not already in force;
  - (k) Section 43 (amendment of the Local Authority Social Services Act 1970) in so far as it is not already in force;
  - (l) 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 is not already in force; and
  - (m) Section 48 (duty to review the Measure).

*Lesley Griffiths*

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol,  
un o Weinidogion Cymru

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

15 Medi 2012

15 September 2012

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