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STATUTORY INSTRUMENTS

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**2010 No. 143 (C. 17)**

**MENTAL HEALTH, ENGLAND AND WALES**

The Mental Health Act 2007  
(Commencement No.11) Order 2010

Made - - - - 26th January 2010

The Secretary of State, with the agreement of the Welsh Ministers, makes the following Order in exercise of the powers conferred by section 56(1) and (2) of the Mental Health Act 2007<sup>(1)</sup>:

**Citation and extent**

1.—(1) This Order may be cited as the Mental Health Act 2007 (Commencement No.11) Order 2010.

(2) This Order extends to England and Wales.

**Commencement of provision**

2. Section 31(3) (accommodation, etc.) of the Mental Health Act 2007 shall come into force on 1st April 2010.

Signed by authority of the Secretary of State for Health

26th January 2010

*Phil Hope*  
Minister of State,  
Department of Health

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(1) 2007 c.12.

**Status:** This is the original version (as it was originally made).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

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## EXPLANATORY NOTE

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

This Order brings into force section 31(3) of the Mental Health Act 2007 (“the 2007 Act”). Section 31(3) of the 2007 Act inserts a new provision (section 131A) into the Mental Health Act 1983 (c.20) (“the 1983 Act”). New section 131A applies to patients under the age of 18 who are liable to be detained in hospital under the 1983 Act, or are admitted to hospital as informal patients under section 131 of the 1983 Act. It imposes a duty on the hospital managers to ensure the environment of such patients is suitable having regard to their age, subject to their needs. In order to decide how to fulfil this duty, the managers must consult people who they think suitable on account of their knowledge or experience of cases involving such patients.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

The following provisions of the Mental Health Act 2007 have been brought into force in England and Wales by commencement orders made before the date of this Order:

<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>S.I. Number</i>
Section 1 and Schedule 1	03.11.2008	2008/1210(C.52)
	03.11.2008	2008/1900(C.84)
Sections 2 to 16	03.11.2008	2008/1900(C.84)
Section 17	01.04.2008	2008/745(C.30)
Section 18	01.04.2008	2008/745(C.30)
	03.11.2008	2008/1900(C.84)
	03.11.2008	2008/2561(C.113)
Section 19	01.10.2007	2007/2798(C.108)
Section 20	01.10.2007	2007/2798(C.108)
Section 21 and Schedule 2	03.11.2008	2008/1900(C.84)
	03.11.2008	2008/2561(C.113)
Section 22	01.04.2008	2008/745(C.30)
	03.11.2008	2008/1900(C.84)
Sections 23 to 25	03.11.2008	2008/1900(C.84)
Section 26	01.12.2007	2007/2798(C.108)
Sections 27 to 29	03.11.2008	2008/1900(C.84)

<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>S.I. Number</i>
Section 30	01.04.2008	2008/745(C.30)
	03.11.2008	2008/2561(C.113)
	01.04.2009	2009/139(C.9)
Section 31 (partially)	03.11.2008	2008/1900(C.84)
Section 32 and Schedules 3 and 4	01.04.2008	2008/745(C.30)
	03.11.2008	2008/1210(C.52)
	03.11.2008	2008/1900(C.84)
Sections 33 and 34	03.11.2008	2008/1900(C.84)
Section 35	01.04.2008	2008/745(C.30)
	03.11.2008	2008/1900(C.84)
Section 36	03.11.2008	2008/1210(C.52)
Section 37	03.11.2008	2008/1900(C.84)
Section 38 (partially)	03.11.2008	2008/1900(C.84)
Section 39 and Schedule 5	01.10.2007	2007/2798(C.108)
	01.04.2008	2008/745(C.30)
	28.10.2008	2008/2788(C.124)
	03.11.2008	2008/1900(C.84)
Sections 40, 41 and 42	01.10.2007	2007/2798(C.108)
Section 43	01.01.2008	2007/2798(C.108)
Section 44	30.04.2008	2008/800 (C. 39)
Section 45	24.07.2007	2007/2156(C.80)
Section 46	01.10.2007	2007/2798(C.108)
Section 47	01.04.2008	2008/745(C.30)
Section 48 and Schedule 6	03.11.2008	2008/1900(C.84)
Section 49	01.10.2007	2007/2798(C.108)
Section 50 and Schedules 7, 8 and 9	01.04.2008	2008/745(C.30)
	01.04.2009	2009/139(C.9)
Section 51	01.10.2007	2007/2635(C.102)
Section 54	01.04.2008	2008/745(C.30)
Section 55 and Schedule 11	03.11.2008	2008/1210(C.52)
	03.11.2008	2008/1900(C.84)

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<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>S.I. Number</i>
	28.10.2008	<a href="#">2008/2788(C.124)</a>
	01.04.2009	<a href="#">2009/139(C.9)</a>