



Statutory Document No. 387/98

## THE MENTAL HEALTH ACT 1998

### THE MENTAL HEALTH ACT 1998 (APPOINTED DAY) (NO. 1) ORDER 1998

In exercise of the powers conferred on the Department of Health and Social Security by section 140(2) and (3) of the Mental Health Act 1998<sup>(1)</sup>, and of all other enabling powers, the following Order is hereby made:—

#### Citation

1. This Order may be cited as the Mental Health Act 1998 (Appointed Day) (No. 1) Order 1998.

#### Commencement of certain provisions of the Act

2. The following provisions of the Mental Health Act 1998 shall come into operation on the 1st August 1998 —

(a) Part 7 (management of patients' property and affairs);

(b) in Part 8 (miscellaneous functions of Department) —

section 116 (code of practice)

section 119 (Mental Health Commission)

section 120 (nomination of independent persons);

(c) in Part 10 (miscellaneous and supplementary) —

section 138(1) (interpretation)

section 139(3) and Schedule 6, so far as they repeal Part VII of the  
Mental Health Act 1974<sup>(2)</sup>

section 140 (short title and commencement).

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<sup>1</sup> 1998 c.3

<sup>2</sup> 1974 c.34

Price 30p

## **Transitional provision**

3. Until the coming into operation of section 1 of the Mental Health Act 1998, any reference in Part 7 of that Act to mental disorder shall be construed in accordance with section 3 of the Mental Health Act 1974.

MADE 1st June 1998

*C. M. Christian*

Minister for Health and Social Security

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## **EXPLANATORY NOTE**

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

This Order brings into force on 1st August 1998 the following provisions of the Mental Health Act 1998 —

Part 7, which relates to the powers of the Deemsters and the Attorney General with respect to the property and affairs of mental patients;

the provisions of Part 8 relating to codes of practice, the Mental Health Commission and the nomination of independent persons;

together with supplemental and consequential provisions of Part 10.