STATUTORY INSTRUMENTS

2026 No. 385 (C. 34)

MENTAL HEALTH

The Mental Health Act 2025 (Commencement No. 1) Regulations 2026

Made - - - - *26th March 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 56(3) of the Mental Health Act 2025(**a**).

Citation

1. These Regulations may be cited as the Mental Health Act 2025 (Commencement No. 1) Regulations 2026.

Commencement

2. The following sections of the Mental Health Act 2025 come into force on 6th April 2026—

(a) section 51;

(b) section 52.

Signed by the authority of the Secretary of State for Health and Social Care

Merron
Parliamentary Under-Secretary of State
Department of Health and Social Care

26th March 2026

(**a**) 2005 c. 33.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force, on 6th April 2026, sections 51 and 52 of the Mental Health Act 2025 ("the 2025 Act").

Section 51 of the 2025 Act extends to England and Wales, Scotland and Northern Ireland. Section 52 of the 2025 Act extends to England only.

Section 51 of the 2025 Act inserts section 142C in the Mental Health Act 1983 ("the 1983 Act"). Section 142C of the 1983 Act extends the remit of the Human Rights Act 1998 to private care providers, requiring them to act compatibly with the Convention rights set out in the Human Rights Act 1998, when providing services as set out in section 142C(2) of the 1983 Act.

Section 52 of the 2025 Act places a statutory duty on the Secretary of State to review regulation 18 of the Care Quality Commission (Registration) Regulations 2009 to consider the circumstances in which the Care Quality Commission ought to be notified where a person under the age of eighteen is an inpatient in a hospital or registered establishment and is being treated for, or being assessed in relation to, mental disorder. A report setting out the conclusions of the review must be laid and published by the Secretary of State before the end of the period of two years beginning on the day that the 2025 Act was passed.

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