

**Changes to legislation:** There are currently no known outstanding effects for the Mental Capacity Act 2005, Cross Heading: Care homes and their managing authorities. (See end of Document for details)

## SCHEDULES

### SCHEDULE A1

#### [<sup>F1</sup>HOSPITAL AND CARE HOME RESIDENTS: DEPRIVATION OF LIBERTY]

##### Textual Amendments

- F1** Sch. A1 omitted (16.5.2019 for specified purposes) by virtue of [Mental Capacity \(Amendment\) Act 2019](#) (c. 18), s. 6(3), [Sch. 2 para. 2\(c\)](#)

#### [<sup>F1</sup>PART 13

##### INTERPRETATION

###### *Care homes and their managing authorities*

- [<sup>F2</sup>178. “Care home” means—
- (a) a care home in England within the meaning given by section 3 of the Care Standards Act 2000, and
  - (b) a place in Wales at which a care home service within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 is provided wholly or mainly to persons aged 18 or over.]

##### Textual Amendments

- F2** Sch. A1 para. 178 substituted (2.4.2018) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2018](#) (S.I. 2018/195), [regs. 2\(1\), 33\(b\)](#)

- [<sup>F3</sup>179 “Managing authority”, in relation to a care home, means—
- (a) in relation to England, the person registered, or required to be registered, under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the provision of residential accommodation, together with nursing or personal care, in the care home, and
  - (b) in relation to Wales, the person registered, or required to be registered, [<sup>F4</sup>under Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 in respect of the care home].]

##### Textual Amendments

- F3** Sch. A1 para. 179 substituted (1.10.2010) by [The Health and Social Care Act 2008 \(Consequential Amendments No.2\) Order 2010](#) (S.I. 2010/813), [art. 17\(7\)\(b\)\(iii\)](#)
- F4** Words in Sch. A1 para. 179(b) substituted (2.4.2018) by virtue of [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2018](#) (S.I. 2018/195), [regs. 2\(1\), 33\(c\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Mental Capacity Act 2005, Cross  
Heading: Care homes and their managing authorities.