

*These notes refer to the Mental Capacity Act 2005  
(c.9) which received Royal Assent on 7 April 2005*

# **MENTAL CAPACITY ACT 2005**

---

## **EXPLANATORY NOTES**

### **TERRITORIAL EXTENT**

17. The Act extends only to England and Wales. Two exceptions are set out in [section 68\(5\)](#) and concern evidence of instruments and registration of LPAs. The amendments and repeals made by [Schedules 6](#) and [7](#) will have the same extent as the enactments concerned.
18. Similar legislation has already been passed in Scotland in the form of the Adults with Incapacity (Scotland) Act 2000.