

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

# MENTAL CAPACITY ACT 2005

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 2: the Court of Protection and the Public Guardian**

##### **Court of Protection Visitors**

##### *Section 61: Court of Protection Visitors*

153. Court of Protection Visitors are appointed to carry out visits and produce reports, as directed by the court (*section 49(2)*) or the Public Guardian (*section 58(1)(d)*) in relation to those who lack capacity. Their functions and powers are similar to those of Lord Chancellor's Visitors appointed under Part 7 of the Mental Health Act 1983.