



Mental Capacity Act 2005

2005 CHAPTER 9

PART 1

PERSONS WHO LACK CAPACITY

[^{F1}Powers of the court in relation to Schedule A1]

Textual Amendments

- F1** S. 21A and cross-heading omitted (16.5.2019 for specified purposes) by virtue of [Mental Capacity \(Amendment\) Act 2019 \(c. 18\)](#), s. 6(3), [Sch. 2 para. 2\(b\)](#)

21A Powers of court in relation to Schedule A1

- ^{F1}(1) This section applies if either of the following has been given under Schedule A1—
- (a) a standard authorisation;
 - (b) an urgent authorisation.
- (2) Where a standard authorisation has been given, the court may determine any question relating to any of the following matters—
- (a) whether the relevant person meets one or more of the qualifying requirements;
 - (b) the period during which the standard authorisation is to be in force;
 - (c) the purpose for which the standard authorisation is given;
 - (d) the conditions subject to which the standard authorisation is given.
- (3) If the court determines any question under subsection (2), the court may make an order—
- (a) varying or terminating the standard authorisation, or
 - (b) directing the supervisory body to vary or terminate the standard authorisation.
- (4) Where an urgent authorisation has been given, the court may determine any question relating to any of the following matters—

Status: Point in time view as at 16/05/2019.

Changes to legislation: *There are currently no known outstanding effects for the Mental Capacity Act 2005, Cross Heading: Powers of the court in relation to Schedule A1. (See end of Document for details)*

- (a) whether the urgent authorisation should have been given;
 - (b) the period during which the urgent authorisation is to be in force;
 - (c) the purpose for which the urgent authorisation is given.
- (5) Where the court determines any question under subsection (4), the court may make an order—
- (a) varying or terminating the urgent authorisation, or
 - (b) directing the managing authority of the relevant hospital or care home to vary or terminate the urgent authorisation.
- (6) Where the court makes an order under subsection (3) or (5), the court may make an order about a person's liability for any act done in connection with the standard or urgent authorisation before its variation or termination.
- (7) An order under subsection (6) may, in particular, exclude a person from liability.]

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