
Status: Point in time view as at 01/10/2007.

Changes to legislation: *Mental Capacity Act 2005, Cross Heading: Proposal for cross-border placement is up to date with all changes known to be in force on or before 18 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

SCHEDULES

SCHEDULE 3

INTERNATIONAL PROTECTION OF ADULTS

PART 5

CO-OPERATION

Proposal for cross-border placement

- 26 (1) This paragraph applies where a public authority proposes to place an adult in an establishment in a Convention country other than England and Wales.
- (2) The public authority must consult an appropriate authority in that other country about the proposed placement and, for that purpose, must send it—
- (a) a report on the adult, and
 - (b) a statement of its reasons for the proposed placement.
- (3) If the appropriate authority in the other country opposes the proposed placement within a reasonable time, the public authority may not proceed with it.
- 27 A proposal received by a public authority under Article 33 in relation to an adult is to proceed unless the authority opposes it within a reasonable time.

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