

Changes to legislation: *Mental Capacity Act 2005, Paragraph 181 is up to date with all changes known to be in force on or before 09 October 2023. 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) View outstanding changes*

SCHEDULES

SCHEDULE A1 **E+W**

[^{F1}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\(c\)](#)

[^{F1}PART 13 **E+W**

INTERPRETATION

Supervisory bodies: hospitals

- 181 (1) The identity of the supervisory body is determined under this paragraph in cases where the relevant hospital is situated in Wales.
- (2) The National Assembly for Wales are the supervisory body.
- [^{F2}(3) But if the relevant person is ordinarily resident in the area of a local authority in England, the supervisory body are that local authority.
- (4) “ Local authority ” means—
- (a) the council of a county;
 - (b) the council of a district for which there is no county council;
 - (c) the council of a London borough;
 - (d) the Common Council of the City of London;
 - (e) the Council of the Isles of Scilly.]]

Textual Amendments

- F2** Sch. A1 para. 181(3)(4) substituted for Sch. A1 para. 181(3) (1.4.2013) by [Health and Social Care Act 2012](#) (c. 7), s. 306(4), [Sch. 5 para. 136\(4\)](#); S.I. 2013/160, art. 2(2) (with arts. 7-9)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 58(4)(ca) inserted by [2023 c. 42 Sch. para. 10](#)
- Sch. 1 para. 4A inserted by [2023 c. 42 Sch. para. 3](#)
- Sch. 1 para. 10A and cross-heading inserted by [2023 c. 42 Sch. para. 6](#)
- Sch. 1 para. 13A inserted by [2023 c. 42 Sch. para. 7\(2\)](#)
- Sch. 1 para. 16(1A) inserted by [2023 c. 42 Sch. para. 8\(b\)](#)