Status: Point in time view as at 16/05/2019.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, Paragraph 188. (See end of Document for details)

SCHEDULES

SCHEDULE A1

 $[^{\rm F1}{\rm HOSPITAL}$ and care home residents: deprivation of liberty]

Textual Amendments

188

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)

[F1PART 13

INTERPRETATION

Interested persons

The following table contains an index of provisions defining or otherwise explaining expressions used in this Schedule—

age assessment	paragraph 34
age requirement	paragraph 13
age review assessment	paragraph 112(3)
appointment regulations	paragraph 138
assessment under this Schedule	paragraph 127
assessor (except in Part 9)	paragraph 33
assessor (in Part 9)	paragraphs 33 and 128
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best interests (determination of)	section 4
best interests assessment	paragraph 38
best interests requirement	paragraph 16
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care home	paragraph 178
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complete (in relation to a review of a standard authorisation)	paragraph 118
deprivation of a person's liberty	section 64(5) and (6)

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deputy	section 16(2)(b)
detained resident	paragraph 6
disposed of (in relation to a request for a standard authorisation)	paragraph 66
eligibility assessment	paragraph 46
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eligible person (in relation to paragraphs 68 to 73)	paragraph 68
eligible person (in relation to Part 8)	paragraph 102(3)
expiry (in relation to an existing authorisation)	paragraph 125(b)
existing authorisation (in Part 8)	paragraph 125(a)
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in force (in relation to a standard authorisation)	paragraphs 63 and 64
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interested person	paragraph 185
interested person consulted by the best interests assessor	paragraph 186
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managing authority (in relation to a care home)	paragraph 179
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maximum authorisation period	paragraph 42
mental capacity assessment	paragraph 37
mental capacity requirement	paragraph 15
mental capacity review assessment	paragraph 112(5)
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mental health requirement	paragraph 14
mental health review assessment	paragraph 112(4)
negative conclusion	paragraph 112(2)(a)

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no refusals assessment no refusals requirement paragraph 18 no refusals review assessment paragraph 112(8) non-qualification ground old supervisory body positive conclusion purpose of a standard authorisation purpose of an urgent authorisation purpose of an urgent authorisation purpose of an urgent authorisation paragraph 11(1) purpose of an urgent authorisation paragraph 11(2) qualifying requirements paragraph 12 refusal (for the purposes of the no refusals requirement) relevant care or treatment paragraph 7 relevant hospital or care home relevant managing authority paragraph 26(4) relevant person relevant person relevant person's representative paragraph 137 relevant procedure paragraph 128 review assessment paragraph 104 section 39A IMCA paragraph 155 section 39C IMCA paragraph 156 section 39D IMCA section 39D IMCA standard authorisation supervisory body (except in Part 9) supervisory body (in Part 9) paragraph 128 and paragraph 180, 181 or 182 unauthorised deprivation of liberty (in relation to paragraphs 68 to 73) urgent authorisation paragraph 9 variation of conditions ground	new supervisory body	paragraph 99(b)
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	variation of conditions ground	paragraph 107]

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