

Changes to legislation: There are currently no known outstanding effects for the Mental Capacity Act 2005, Cross Heading: Duty to request authorisation: basic cases. (See end of Document for details)

SCHEDULES

SCHEDULE A1

[^{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 4

STANDARD AUTHORISATIONS

Duty to request authorisation: basic cases

- 24 (1) The managing authority must request a standard authorisation in any of the following cases.
- (2) The first case is where it appears to the managing authority that the relevant person—
- (a) is not yet accommodated in the relevant hospital or care home,
 - (b) is likely — at some time within the next 28 days — to be a detained resident in the relevant hospital or care home, and
 - (c) is likely—
 - (i) at that time, or
 - (ii) at some later time within the next 28 days,to meet all of the qualifying requirements.
- (3) The second case is where it appears to the managing authority that the relevant person—
- (a) is already accommodated in the relevant hospital or care home,
 - (b) is likely — at some time within the next 28 days — to be a detained resident in the relevant hospital or care home, and
 - (c) is likely—
 - (i) at that time, or
 - (ii) at some later time within the next 28 days,to meet all of the qualifying requirements.
- (4) The third case is where it appears to the managing authority that the relevant person—
- (a) is a detained resident in the relevant hospital or care home, and
 - (b) meets all of the qualifying requirements, or is likely to do so at some time within the next 28 days.

Changes to legislation: *There are currently no known outstanding effects for the Mental Capacity Act 2005, Cross Heading: Duty to request authorisation: basic cases. (See end of Document for details)*

(5) This paragraph is subject to paragraphs 27 to 29.]

Changes to legislation:

There are currently no known outstanding effects for the Mental Capacity Act 2005, Cross
Heading: Duty to request authorisation: basic cases.