
Status: Point in time view as at 01/04/2008.

Changes to legislation: There are currently no known outstanding effects for the Mental Capacity Act 2005, Cross Heading: Non-qualification ground. (See end of Document for details)

SCHEDULES¹

[^{F1}SCHEDULE A1

HOSPITAL AND CARE HOME RESIDENTS: DEPRIVATION OF LIBERTY

PART 8

STANDARD AUTHORISATIONS: REVIEW

Non-qualification ground

- 105 (1) Any of the following qualifying requirements is reviewable on the ground that the relevant person does not meet the requirement—
- (a) the age requirement;
 - (b) the mental health requirement;
 - (c) the mental capacity requirement;
 - (d) the best interests requirement;
 - (e) the no refusals requirement.
- (2) The eligibility requirement is reviewable on the ground that the relevant person is ineligible by virtue of paragraph 5 of Schedule 1A.
- (3) The ground in sub-paragraph (1) and the ground in sub-paragraph (2) are referred to as the non-qualification ground.]

Status:

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Changes to legislation:

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Heading: Non-qualification ground.