
Status: This version of this part contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Mental Capacity (Amendment) Act 2019, Paragraph 6. (See end of Document for details)

PROSPECTIVE

SCHEDULES

SCHEDULE 2

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 1

AMENDMENTS TO THE MENTAL CAPACITY ACT 2005

- 6 (1) Section 39 (provision of accommodation by local authority) is amended as follows.
- (2) For subsection (3A) substitute—
- “(3A) And this section does not apply if—
- (a) an independent mental capacity advocate is appointed under paragraph 42 of Schedule AA1 to represent and support P, and
 - (b) the arrangements which are authorised or proposed under Schedule AA1 in respect of P include arrangements for P to be accommodated in the residential accommodation referred to in this section.”
- (3) In subsection (4), in the opening words, after “arrangements” insert “ mentioned in subsection (1) ”.
- (4) Omit subsection (7).

Status:

This version of this part contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the Mental Capacity (Amendment) Act 2019, Paragraph 6.