
STATUTORY INSTRUMENTS

2006 No. 2883

The Mental Capacity Act 2005 (Independent Mental Capacity Advocates) (Expansion of Role) Regulations 2006

Citation, commencement, extent and interpretation

1.—(1) These Regulations may be cited as the Mental Capacity Act 2005 (Independent Mental Capacity Advocates) (Expansion of Role) Regulations 2006.

(2) These Regulations shall come into force—

- (a) for the purpose of enabling the Secretary of State to make arrangements by virtue of regulation 2, on 1st November 2006, and
- (b) for all other purposes, on 1st April 2007.

(3) These Regulations apply in relation to England only.

(4) In these Regulations—

“the Act” means the Mental Capacity Act 2005;

“IMCA” means an independent mental capacity advocate; and

“NHS body” means a body in England which is—

- (a) a Strategic Health Authority;
- (b) an NHS foundation trust;
- (c) a Primary Care Trust;
- (d) an NHS Trust; or
- (e) a Care Trust.

(5) In the definition of “NHS body” in paragraph (4)—

“Care Trust” means a body designated as a Care Trust under section 45 of the Health and Social Care Act 2001(1);

“NHS foundation trust” has the meaning given in section 1 of the Health and Social Care (Community Health and Standards) Act 2003(2);

“NHS trust” means a body established under section 5 of the National Health Service and Community Care Act 1990(3);

“Primary Care Trust” means a body established under section 16A of the National Health Service Act 1977(4); and

“Strategic Health Authority” means a Strategic Health Authority established under section 8 of the National Health Service Act 1977(5).

(1) 2001 c.15.

(2) 2003 c.43.

(3) 1990 c.19. Section 5 is amended by paragraph 69(1)(b) and (d) of Schedule 1 to the Health Authorities Act 1995 (c.17), paragraph 65(2) of Schedule 2 to the National Health Service (Primary Care) Act 1997 (c.46) and sections 13(1) and (10) and 14 of the Health Act 1999 (c.8).

(4) 1977 c.49. Section 16A is inserted by section 2(1) of the Health Act 1999.

(5) Section 8 of the National Health Service Act 1977 is substituted by section 1(2) of the National Health Service Reform and Health Care Professions Act 2002 (c.17).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
