
STATUTORY INSTRUMENTS

2006 No. 2883

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

Instructing an IMCA

5.—(1) In the circumstances specified in regulation 3 or 4, an NHS body or local authority may instruct an IMCA to represent P if the NHS body is satisfied, or the local authority are satisfied, that it would be of particular benefit to P to be so represented.

(2) An NHS body which instructs, or a local authority which instruct, an IMCA under paragraph (1) must—

- (a) in making any decision resulting from a review of arrangements as to P's accommodation, or
- (b) in making any decision, or further decision, about protective measures in relation to P, take into account any information given, or submissions made, by the IMCA.