
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Mental Capacity Act 2005 (Commencement No.1 Order) 2006 ([S.I. 2006/2814 C.95](#)) under the Mental Capacity Act 2005 ([c.9](#)). That Order brought into force sections 30 to 34 (research).

Article 2 substitutes in Commencement Order No.1 new dates for these provisions to come into force.

By virtue of these amendments sections 30 to 34 of the Act will now come into force on 1 July 2007 for the purpose of enabling applications for ethical approval of research to be made to and determined by an appropriate body. Sections 30 to 34 will now come into force on 1 October 2008 in relation to research projects which have begun before 1 October 2007 and have been ethically approved before that date. Sections 30 to 34 will now come into force on 1 October 2007 in relation to all other research projects, namely those beginning on or after 1 October 2007 or which have begun, but have not been ethically approved, before that date.