S C H E D U L E S

SCHEDULE A1 E+W

[F1HOSPITAL AND CARE HOME RESIDENTS: DEPRIVATION OF LIBERTY]

Textual Amendments

F1   Sch. A1 omitted (16.5.2019 for specified purposes) by virtue of Mental Capacity (Amendment) Act 2019 (c. 18), s. 6(3), **Sch. 2 para. 2(c)**

[F1PART 4 E+W

STANDARD AUTHORISATIONS

Duty to give information about effect of authorisation

59   (1) This paragraph applies if a standard authorisation is given.

(2) The managing authority of the relevant hospital or care home must take such steps as are practicable to ensure that the relevant person understands all of the following—
   (a)   the effect of the authorisation;
   (b)   the right to make an application to the court to exercise its jurisdiction under section 21A;
   (c)   the right under Part 8 to request a review;
   (d)   the right to have a section 39D IMCA appointed;
   (e)   how to have a section 39D IMCA appointed.

(3) Those steps must be taken as soon as is practicable after the authorisation is given.

(4) Those steps must include the giving of appropriate information both orally and in writing.

(5) Any written information given to the relevant person must also be given by the managing authority to the relevant person's representative.

(6) They must give the information to the representative as soon as is practicable after it is given to the relevant person.

(7) Sub-paragraph (8) applies if the managing authority is notified that a section 39D IMCA has been appointed.

(8) As soon as is practicable after being notified, the managing authority must give the section 39D IMCA a copy of the written information given in accordance with sub-paragraph (4).]

Changes to legislation:
There are currently no known outstanding effects for the Mental Capacity Act 2005, Cross
Heading: Duty to give information about effect of authorisation.