



Mental Capacity Act 2005

2005 CHAPTER 9

PART 3

MISCELLANEOUS AND GENERAL

General

68 Commencement and extent

- (1) This Act, other than sections 30 to 41, comes into force in accordance with provision made by order by the Lord Chancellor.
- (2) Sections 30 to 41 come into force in accordance with provision made by order by—
 - (a) the Secretary of State, in relation to England, and
 - (b) the National Assembly for Wales, in relation to Wales.
- (3) An order under this section may appoint different days for different provisions and different purposes.
- (4) Subject to subsections (5) and (6), this Act extends to England and Wales only.
- (5) The following provisions extend to the United Kingdom—
 - (a) paragraph 16(1) of Schedule 1 (evidence of instruments and of registration of lasting powers of attorney),
 - (b) paragraph 15(3) of Schedule 4 (evidence of instruments and of registration of enduring powers of attorney).
- (6) Subject to any provision made in Schedule 6, the amendments and repeals made by Schedules 6 and 7 have the same extent as the enactments to which they relate.

Subordinate Legislation Made

- P1** S. 68(1) power partly exercised: 1.4.2007 appointed for specified provisions and purposes by {S.I. 2007/563}, art. 2

Changes to legislation: *Mental Capacity Act 2005, Section 68 is up to date with all changes known to be in force on or before 05 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- P2** S. 68(1) power partly exercised: 1.10.2007 appointed for specified provisions and purposes by {[S.I. 2007/1897](#)}, art. 2
- P3** S. 68(2) power partly exercised: different dates appointed for specified provisions and purposes by {[S.I. 2007/856](#)}, arts. 2-5
- P4** S. 68(2)(a) power partly exercised: different dates appointed for specified provisions and purposes by {[S.I. 2006/2814](#)}, arts. 2-5 (as amended by [S.I. 2006/3473](#), [art. 2](#))

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 58(4)(ca) inserted by [2023 c. 42 Sch. para. 10](#)
- Sch. 1 para. 4A inserted by [2023 c. 42 Sch. para. 3](#)
- Sch. 1 para. 10A and cross-heading inserted by [2023 c. 42 Sch. para. 6](#)
- Sch. 1 para. 13A inserted by [2023 c. 42 Sch. para. 7\(2\)](#)
- Sch. 1 para. 16(1A) inserted by [2023 c. 42 Sch. para. 8\(b\)](#)