
Status: Point in time view as at 01/04/2008.

Changes to legislation: There are currently no known outstanding effects for the Mental Capacity Act 2005, Paragraph 135. (See end of Document for details)

SCHEDULES¹

[^{F1}SCHEDULE A1

HOSPITAL AND CARE HOME RESIDENTS: DEPRIVATION OF LIBERTY

PART 9

ASSESSMENTS UNDER THIS SCHEDULE

Duty to keep records and give copies

- 135 (1) This paragraph applies to the supervisory body if they are given a copy of an assessment under this Schedule.
- (2) The supervisory body must give copies of the assessment to all of the following—
- (a) the managing authority of the relevant hospital or care home;
 - (b) the relevant person;
 - (c) any section 39A IMCA;
 - (d) the relevant person's representative.
- (3) If—
- (a) the assessment is obtained in relation to a request for a standard authorisation, and
 - (b) the supervisory body are required by paragraph 50(1) to give the standard authorisation,
- the supervisory body must give the copies of the assessment when they give copies of the authorisation in accordance with paragraph 57.
- (4) If—
- (a) the assessment is obtained in relation to a request for a standard authorisation, and
 - (b) the supervisory body are prohibited by paragraph 50(2) from giving the standard authorisation,
- the supervisory body must give the copies of the assessment when they give notice in accordance with paragraph 58.
- (5) If the assessment is obtained in connection with the review of a standard authorisation, the supervisory body must give the copies of the assessment when they give notice in accordance with paragraph 120.]

Status:

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Changes to legislation:

There are currently no known outstanding effects for the Mental Capacity Act 2005, Paragraph 135.