
Status: Point in time view as at 01/04/2008.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 182. (See end of Document for details)

SCHEDULES¹

[^{F1}SCHEDULE A1

HOSPITAL AND CARE HOME RESIDENTS: DEPRIVATION OF LIBERTY

PART 13

INTERPRETATION

Supervisory bodies: care homes

- 182 (1) The identity of the supervisory body is determined under this paragraph in cases where the relevant care home is situated in England or in Wales.
- (2) The supervisory body are the local authority for the area in which the relevant person is ordinarily resident.
- (3) But if the relevant person is not ordinarily resident in the area of a local authority, the supervisory body are the local authority for the area in which the care home is situated.
- (4) In relation to England “local authority” means—
- (a) the council of a county;
 - (b) the council of a district for which there is no county council;
 - (c) the council of a London borough;
 - (d) the Common Council of the City of London;
 - (e) the Council of the Isles of Scilly.
- (5) In relation to Wales “local authority” means the council of a county or county borough.
- (6) If a care home is situated in the areas of two (or more) local authorities, it is to be regarded for the purposes of sub-paragraph (3) as situated in whichever of the areas the greater (or greatest) part of the care home is situated.]

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