Mental Capacity Act 2005 (c. 9)
SCHEDULE A1 – Hospital and care home residents: deprivation of liberty
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Status: Point in time view as at 03/11/2008.
Changes to legislation: Mental Capacity Act 2005, Paragraph 84 is up to date with all changes known to be in force on or before 06 November 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)

S C H E D U L E S [F1][F1]

[F1SCHEDULE A1

HOSPITAL AND CARE HOME RESIDENTS: DEPRIVATION OF LIBERTY

PART 5

URGENT AUTHORISATIONS

Request for extension of duration

84   (1) This paragraph applies if the managing authority make a request under paragraph 77 for the supervisory body to extend the duration of the original authorisation.

(2) The managing authority must keep a written record of why they have made the request.

(3) The managing authority must give the relevant person notice that they have made the request.

(4) The supervisory body may extend the duration of the original authorisation if it appears to them that—

   (a) the managing authority have made the required request for a standard authorisation,

   (b) there are exceptional reasons why it has not yet been possible for that request to be disposed of, and

   (c) it is essential for the existing detention to continue until the request is disposed of.

(5) The supervisory body must keep a written record that the request has been made to them.

(6) In this paragraph and paragraphs 85 and 86—

   (a) "original authorisation" and "existing detention" have the same meaning as in paragraph 77;

   (b) the required request for a standard authorisation is the request that is referred to in paragraph 76(2) or (3).]

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