

*Status: Point in time view as at 16/05/2019.*

*Changes to legislation: There are currently no known outstanding effects for the Mental Capacity Act 2005, Part 2. (See end of Document for details)*

## SCHEDULES

### SCHEDULE A1

#### [<sup>F1</sup>HOSPITAL 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\(c\)](#)

#### [<sup>F1</sup>PART 2

##### INTERPRETATION: MAIN TERMS

###### *Introduction*

- 5 This Part applies for the purposes of this Schedule.

###### *Detained resident*

- 6 “Detained resident” means a person detained in a hospital or care home — for the purpose of being given care or treatment — in circumstances which amount to deprivation of the person's liberty.

###### *Relevant person etc*

- 7 In relation to a person who is, or is to be, a detained resident—  
“relevant person” means the person in question;  
“relevant hospital or care home” means the hospital or care home in question;  
“relevant care or treatment” means the care or treatment in question.

###### *Authorisations*

- 8 “Standard authorisation” means an authorisation given under Part 4.  
9 “Urgent authorisation” means an authorisation given under Part 5.  
10 “Authorisation under this Schedule” means either of the following—  
(a) a standard authorisation;  
(b) an urgent authorisation.  
11 (1) The purpose of a standard authorisation is the purpose which is stated in the authorisation in accordance with paragraph 55(1)(d).

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- (2) The purpose of an urgent authorisation is the purpose which is stated in the authorisation in accordance with paragraph 80(d).]

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