Mental Capacity Act 2005 (c. 9)
SCHEDULE A1 – Hospital and care home residents: deprivation of liberty
Document Generated: 2024-01-18

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

[F1]SCHEDULE A1

HOSPITAL AND CARE HOME RESIDENTS: DEPRIVATION OF LIBERTY

PART 4

STANDARD AUTHORISATIONS

Authorisation given: request for further authorisation

29 (1) This paragraph applies if a standard authorisation—
  (a) has been given in relation to the detention of the relevant person, and
  (b) that authorisation ("the existing authorisation") has not ceased to be in force.

(2) Paragraph 24 does not require a new request for a standard authorisation ("the new authorisation") to be made unless these conditions are met.

(3) The first condition is that the new authorisation would be in force at a time immediately after the expiry of the existing authorisation.

(4) The second condition is that the new authorisation would not be in force at any time on or before the expiry of the existing authorisation.

(5) The third condition is that it would, in the managing authority's view, be unreasonable to delay making the request until a time nearer the expiry of the existing authorisation.

(6) The expiry of the existing authorisation is the time when it is expected to cease to be in force.]

Status:
Point in time view as at 03/11/2008.

Changes to legislation:
Mental Capacity Act 2005, Cross Heading: Authorisation given: request for further authorisation is up to date with all changes known to be in force on or before 18 January 2024. 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.