
Status: Point in time view as at 01/04/2008.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,
Cross Heading: Duty to request authorisation: change in place of detention. (See end of Document for details)*

SCHEDULES¹

[^{F1}SCHEDULE A1

HOSPITAL AND CARE HOME RESIDENTS: DEPRIVATION OF LIBERTY

PART 4

STANDARD AUTHORISATIONS

Duty to request authorisation: change in place of detention

- 25 (1) The relevant managing authority must request a standard authorisation if it appears to them that these conditions are met.
- (2) The first condition is that a standard authorisation—
- (a) has been given, and
 - (b) has not ceased to be in force.
- (3) The second condition is that there is, or is to be, a change in the place of detention.
- (4) This paragraph is subject to paragraph 28.
- 26 (1) This paragraph applies for the purposes of paragraph 25.
- (2) There is a change in the place of detention if the relevant person—
- (a) ceases to be a detained resident in the stated hospital or care home, and
 - (b) becomes a detained resident in a different hospital or care home (“the new hospital or care home”).
- (3) The stated hospital or care home is the hospital or care home to which the standard authorisation relates.
- (4) The relevant managing authority are the managing authority of the new hospital or care home.]

Status:

Point in time view as at 01/04/2008.

Changes to legislation:

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Heading: Duty to request authorisation: change in place of detention.