



Mental Capacity Act 2005

2005 CHAPTER 9

PART 1

PERSONS WHO LACK CAPACITY

Preliminary

[^{F1}4C **Carrying out of authorised arrangements giving rise to deprivation of liberty**

- (1) This section applies to an act that a person (“D”) does in carrying out arrangements authorised under Schedule AA1.
- (2) D does not incur any liability in relation to the act that would not have been incurred if the cared-for person—
 - (a) had had capacity to consent in relation to D doing the act, and
 - (b) had consented to D doing the act.
- (3) Nothing in this section excludes a person’s civil liability for loss or damage, or a person’s criminal liability, resulting from that person’s negligence in doing the act.
- (4) Paragraph 31 of Schedule AA1 applies if an authorisation ceases to have effect in certain cases.
- (5) “Cared-for person” has the meaning given by paragraph 2(1) of that Schedule.]

Textual Amendments

- F1** S. 4C inserted (16.5.2019 for specified purposes) by [Mental Capacity \(Amendment\) Act 2019 \(c. 18\)](#), ss. 1(3), 6(3)

Changes to legislation:

There are currently no known outstanding effects for the Mental Capacity Act 2005, Section 4C.