
STATUTORY INSTRUMENTS

2008 No. 1858

**The Mental Capacity (Deprivation of Liberty:
Standard Authorisations, Assessments and
Ordinary Residence) Regulations 2008**

PART 1

Preliminary

Citation, commencement and application

1.—(1) These Regulations may be cited as the Mental Capacity (Deprivation of Liberty: Standard Authorisations, Assessments and Ordinary Residence) Regulations 2008 and shall come into force on 3rd November 2008.

(2) These Regulations apply in relation to England only.

Interpretation

2. In these Regulations—

“approved mental health professional” means a person approved under section 114(1) of the Mental Health Act 1983⁽¹⁾ to act as an approved mental health professional for the purposes of that Act;

“best interests assessor” means a person selected to carry out a best interests assessment under paragraph 38 of Schedule A1 to the Act;

“General Social Care Council” has the meaning given by section 54(1) of the Care Standards Act 2000⁽²⁾; and

“the Act” means the Mental Capacity Act 2005.

(1) 1983 (c.20). Section 114 was substituted by section 18 of the Mental Health Act 2007.

(2) 2000 (c.14).