

---

WELSH STATUTORY INSTRUMENTS

---

**2007 No. 852**

**The Mental Capacity Act 2005 (Independent Mental Capacity Advocates) (Wales) Regulations 2007**

**Challenges to decisions affecting persons who lack capacity**

7.—(1) This regulation applies where an IMCA has been instructed to act and a decision (including a decision as to P's capacity) is made in relation to a person (P).

(2) The IMCA has the same rights to challenge the decision as if he or she were a person (other than an IMCA) who—

- (a) was entitled, in accordance with section 4(7)(b) of the Act, to be consulted in relation to a matter about which the IMCA is now instructed; or
- (b) it would otherwise be appropriate for an NHS body or a local authority to consult.