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WELSH STATUTORY INSTRUMENTS

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**2009 No. 783**

**The Mental Capacity (Deprivation of Liberty:  
Assessments, Standard Authorisations and Disputes  
about Residence) (Wales) Regulations 2009**

**PART 4**

Assessment

**Time frame for assessments**

9.—(1) Subject to paragraph (2) and to regulation 11, the assessor must complete the assessment within 21 days from the date he or she is instructed by the supervisory body.

(2) Where the managing authority has given an urgent authorisation under paragraph 76 of Schedule A1 to the Act and makes a request for a standard authorisation, the assessor must complete the assessment within 5 days from the date on which he or she is instructed by the supervisory body.

**Time limit for carrying out an assessment to decide whether or not there is an unauthorised deprivation of liberty**

10. Subject to paragraph 69(4) and (5) of Schedule A1 to the Act, an assessment required under paragraph 69 of Schedule A1 to the Act must be completed within 5 days from the date on which the assessor is instructed by the supervisory body

**Transitional Provisions for Standard Authorisations**

11.—(1) This regulation applies where an assessor is instructed by the supervisory body on or before the 30 April 2009.

(2) The assessment must be completed within 42 days from the date of instruction.

**Relevant eligibility information**

12.—(1) This regulation applies where an individual is being assessed and the eligibility assessor and the best interests assessor are not the same person.

(2) The eligibility assessor must request that the best interests assessor provide him or her with any relevant eligibility information that the best interests assessor may have.

(3) The best interests assessor must comply with any request made under this regulation.