
WELSH STATUTORY INSTRUMENTS

2009 No. 783

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

PART 2

Eligibility to carry out assessments

Eligibility to carry out mental capacity assessment or eligibility assessment

6. A person is eligible to carry out a mental capacity assessment⁽¹⁾ or an eligibility assessment⁽²⁾ if they are eligible to carry out —

- (a) a mental health assessment; or
- (b) a best interests assessment.

(1) A mental capacity assessment is an assessment carried out under paragraph 37 of Schedule A1 to the Act.
(2) An eligibility assessment is an assessment carried out under Schedule 1A to the Act.