
DRAFT STATUTORY INSTRUMENTS

2008 No.

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

PART 3

Selection of Assessors

Selection of best interests assessors

12.—(1) A supervisory body must not select a person to carry out a best interests assessment if that person is involved in the care, or making decisions about the care, of the relevant person.

(2) Where the managing authority and supervisory body are both the same body, the supervisory body must not select a person to carry out a best interests assessment who is employed by it or who is providing services to it.