
DRAFT STATUTORY INSTRUMENTS

2008 No.

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

PART 6

Supervisory bodies: care homes

Disputes about the Place of Ordinary Residence

Arrangements where there is a question as to the ordinary residence

18.—(1) Local authority A must act as supervisory body in relation to a request mentioned in regulation 17(1)(a) until the determination of the question as to the ordinary residence of the relevant person.

(2) But where another local authority (“local authority C”) agrees to act as the supervisory body in place of local authority A, that local authority shall become the supervisory body until the determination of the question as to the ordinary residence of the relevant person.

(3) When the question about the ordinary residence of the relevant person has been determined, the local authority which has been identified as the supervisory body shall become the supervisory body.