



# Mental Capacity Act 2005

## 2005 CHAPTER 9

### PART 1

#### PERSONS WHO LACK CAPACITY

#### *[<sup>F1</sup>Powers of the court in relation to Schedule AA1*

##### Textual Amendments

- F1** [S. 21ZA](#) and cross-heading inserted (16.5.2019 for specified purposes) by [Mental Capacity \(Amendment\) Act 2019 \(c. 18\), ss. 3, 6\(3\)](#)

#### **21ZA Powers of court in relation to Schedule AA1**

- (1) This section applies where an authorisation under Schedule AA1—
  - (a) has effect, or
  - (b) is to have effect from a date specified under paragraph 28 of that Schedule.
- (2) The court may determine any question relating to—
  - (a) whether Schedule AA1 applies to the arrangements, or whether the authorisation conditions are met;
  - (b) what period the authorisation has effect for;
  - (c) what the authorisation relates to.
- (3) If the court determines a question under subsection (2), the court may make an order—
  - (a) varying or terminating the authorisation;
  - (b) directing the responsible body to vary the authorisation.
- (4) Where the court makes an order under subsection (3) the court may make an order about a person's liability for anything done in carrying out the arrangements before the variation or termination.
- (5) An order under subsection (4) may, in particular, exclude a person from liability.

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**Changes to legislation:** *There are currently no known outstanding effects for the Mental Capacity Act 2005, Cross Heading: Powers of the court in relation to Schedule AA1. (See end of Document for details)*

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(6) “Authorisation conditions” has the meaning given by paragraph 13 of Schedule AA1.]

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