

*Status: Point in time view as at 16/05/2019. This version of this provision has been superseded.*

*Changes to legislation: Mental Capacity Act 2005, Paragraph 7 is up to date with all changes known to be in force on or before 03 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### [<sup>F1</sup>SCHEDULE AA1

#### DEPRIVATION OF LIBERTY: AUTHORISATION OF ARRANGEMENTS ENABLING CARE AND TREATMENT

##### Textual Amendments

- F1** Sch. AA1 inserted (16.5.2019 for specified purposes) by [Mental Capacity \(Amendment\) Act 2019 \(c. 18\)](#), s. 6(3), [Sch. 1](#)

### PART 1

#### INTRODUCTORY AND INTERPRETATION

##### *Responsible body*

- 7 (1) “Hospital manager”, in relation to an NHS hospital, means—
- (a) if the hospital—
    - (i) is vested in a relevant national authority for the purposes of its functions under the National Health Service Act 2006 or the National Health Service (Wales) Act 2006, or
    - (ii) consists of any accommodation provided by a local authority and used as a hospital by or on behalf of a relevant national authority under either of those Acts,  
the Local Health Board or Special Health Authority responsible for the administration of the hospital;
  - (b) in relation to England, if the hospital falls within paragraph (a)(i) or (ii) and no Special Health Authority has responsibility for its administration, the Secretary of State;
  - (c) if the hospital is vested in an NHS trust or an NHS foundation trust, that trust;
  - (d) if the hospital is vested in a Local Health Board, that Board.
- (2) In sub-paragraph (1) “relevant national authority” means—
- (a) the Secretary of State,
  - (b) the Welsh Ministers, or
  - (c) the Secretary of State and the Welsh Ministers acting jointly.]

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