



# Mental Capacity Act 2005

## 2005 CHAPTER 9

### PART 1

#### PERSONS WHO LACK CAPACITY

##### *Excluded decisions*

#### **27 Family relationships etc.**

- (1) Nothing in this Act permits a decision on any of the following matters to be made on behalf of a person—
- (a) consenting to marriage or a civil partnership,
  - (b) consenting to have sexual relations,
  - (c) consenting to a decree of divorce being granted on the basis of two years' separation,
  - (d) consenting to a dissolution order being made in relation to a civil partnership on the basis of two years' separation,
  - (e) consenting to a child's being placed for adoption by an adoption agency,
  - (f) consenting to the making of an adoption order,
  - (g) discharging parental responsibilities in matters not relating to a child's property,
  - (h) giving a consent under the Human Fertilisation and Embryology Act 1990 (c. 37).
- (2) "Adoption order" means—
- (a) an adoption order within the meaning of the Adoption and Children Act 2002 (c. 38) (including a future adoption order), and
  - (b) an order under section 84 of that Act (parental responsibility prior to adoption abroad).