



Mental Capacity Act 2005

2005 CHAPTER 9

PART 1

PERSONS WHO LACK CAPACITY

Excluded decisions

28 Mental Health Act matters

- (1) Nothing in this Act authorises anyone—
 - (a) to give a patient medical treatment for mental disorder, or
 - (b) to consent to a patient's being given medical treatment for mental disorder, if, at the time when it is proposed to treat the patient, his treatment is regulated by Part 4 of the Mental Health Act.
- (2) "Medical treatment", "mental disorder" and "patient" have the same meaning as in that Act.