

Status: Point in time view as at 29/06/2021.

Changes to legislation: Legal Aid, Sentencing and Punishment of Offenders Act 2012, Paragraph 5 is up to date with all changes known to be in force on or before 31 May 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

SCHEDULE 1

CIVIL LEGAL SERVICES

PART 1

SERVICES

Mental health and mental capacity

- 5 (1) Civil legal services provided in relation to matters arising under—
- (a) the Mental Health Act 1983;
 - (b) paragraph 5(2) of the Schedule to the Repatriation of Prisoners Act 1984;
 - (c) the Mental Capacity Act 2005.

General exclusions

- (2) Sub-paragraph (1) is subject to the exclusions in Parts 2 and 3 of this Schedule.

Specific exclusion

- (3) The services described in sub-paragraph (1) do not include services provided in relation to—
- (a) the creation of lasting powers of attorney under the Mental Capacity Act 2005, or
 - (b) the making of advance decisions under that Act.
- (4) Sub-paragraph (3) does not exclude services provided in relation to determinations and declarations by a court under the Mental Capacity Act 2005 as to the validity, meaning, effect or applicability of—
- (a) a lasting power of attorney that has been created, or
 - (b) an advance decision that has been made.

Status:

Point in time view as at 29/06/2021.

Changes to legislation:

Legal Aid, Sentencing and Punishment of Offenders Act 2012, Paragraph 5 is up to date with all changes known to be in force on or before 31 May 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.