
STATUTORY INSTRUMENTS

2008 No. 1315

The Mental Capacity (Deprivation of Liberty: Appointment of Relevant Person's Representative) Regulations 2008

PART 1

Selection of representatives

Confirmation of eligibility of family member, friend or carer and recommendation to the supervisory body

7.—(1) The best interests assessor must confirm that a person selected under regulation 5(1) or 6(1) or (2) is eligible to be a representative.

(2) Where the best interests assessor confirms the selected person's eligibility under paragraph (1), the assessor must recommend the appointment of that person as a representative to the supervisory body.

(3) Where the best interests assessor is unable to confirm the selected person's eligibility under paragraph (1), the assessor must—

- (a) advise the person who made the selection of that decision and give the reasons for it; and
- (b) invite them to make a further selection.