

## SCHEDULE

### Consequential amendments

#### *Mental Capacity Act 2005*

**10.** In Schedule 3 to the Mental Capacity Act 2005(1)—

- (a) in paragraph 4 (adults with incapacity), after “means” insert (subject to sub-paragraph (2)”, and
- (b) after the existing provision in paragraph 4 (which becomes sub-paragraph (1)), insert—
  - “(2) But “adult” does not include a child to whom either of the following applies—
    - (a) the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-Operation in respect of Parental Responsibility and Measures for the Protection of Children that was signed at The Hague on 19 October 1996;
    - (b) Council Regulation (EC) No. 2201/2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility.”

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(1) 2005, c.9.