

---

*Status: Point in time view as at 01/04/2008.*

*Changes to legislation: There are currently no known outstanding effects for the Mental Capacity Act 2005, Paragraph 143. (See end of Document for details)*

---

# SCHEDULES<sup>1</sup>

## [<sup>F1</sup>SCHEDULE A1

### HOSPITAL AND CARE HOME RESIDENTS: DEPRIVATION OF LIBERTY

#### PART 10

##### RELEVANT PERSON'S REPRESENTATIVE

###### *Appointment regulations*

- 143 (1) Appointment regulations may make provision about who is to select a person for appointment as a representative.
- (2) But regulations under this paragraph may only provide for the following to make a selection—
- (a) the relevant person, if he has capacity in relation to the question of which person should be his representative;
  - (b) a donee of a lasting power of attorney granted by the relevant person, if it is within the scope of his authority to select a person;
  - (c) a deputy, if it is within the scope of his authority to select a person;
  - (d) a best interests assessor;
  - (e) the supervisory body.
- (3) Regulations under this paragraph may provide that a selection by the relevant person, a donee or a deputy is subject to approval by a best interests assessor or the supervisory body.
- (4) Regulations under this paragraph may provide that, if more than one selection is necessary in connection with the appointment of a particular representative—
- (a) the same person may make more than one selection;
  - (b) different persons may make different selections.
- (5) For the purposes of this paragraph a best interests assessor is a person carrying out a best interests assessment in connection with the standard authorisation in question (including the giving of that authorisation).]

**Status:**

Point in time view as at 01/04/2008.

**Changes to legislation:**

There are currently no known outstanding effects for the Mental Capacity Act 2005, Paragraph 143.