



Mental Capacity Act 2005

2005 CHAPTER 9

PART 2

THE COURT OF PROTECTION AND THE PUBLIC GUARDIAN

Practice and procedure

[^{F1}52 Practice directions

- (1) Directions as to the practice and procedure of the court may be given in accordance with Part 1 of Schedule 2 to the Constitutional Reform Act 2005.
- (2) Practice directions given otherwise than under subsection (1) may not be given without the approval of—
 - (a) the Lord Chancellor, and
 - (b) the Lord Chief Justice.
- (3) The Lord Chief Justice may nominate any of the following to exercise his functions under this section—
 - (a) the President of the Court of Protection;
 - (b) a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005).]^{F1}

Textual Amendments

- F1** S. 52 substituted (3.4.2006) by [The Lord Chancellor \(Transfer of Functions and Supplementary Provisions\) \(No.2\) Order 2006 \(S.I. 2006/1016\)](#), arts. 1, 2, [Sch. 1 para. 35](#)

Changes to legislation:

There are currently no known outstanding effects for the Mental Capacity Act 2005, Section 52.