



# Mental Capacity (Amendment) Act 2019

## CHAPTER 18

### MENTAL CAPACITY (AMENDMENT) ACT 2019

#### *Safeguards*

- 1 Deprivation of liberty: authorisation of arrangements enabling care and treatment
- 2 Deprivation of liberty: authorisation of steps necessary for life-sustaining treatment or vital act
- 3 Powers of the court to determine questions

#### *Code of practice etc*

- 4 Deprivation of liberty: code of practice

#### *General*

- 5 Consequential provision etc
- 6 Extent, commencement and short title

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### SCHEDULES

SCHEDULE 1 — Schedule to be inserted as Schedule AA1 to the Mental Capacity Act 2005

SCHEDULE 2 — Minor and consequential amendments

Part 1 — AMENDMENTS TO THE MENTAL CAPACITY ACT 2005

- 1 The Mental Capacity Act 2005 is amended as follows.
- 2 Omit— (a) section 16A; (b) section 21A and the italic...
- 3 In section 35(1) (appointment of independent mental capacity advocates), for...

**Changes to legislation:** There are currently no known outstanding effects for the Mental Capacity (Amendment) Act 2019. (See end of Document for details)

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- 4 (1) Section 36 (functions of independent mental capacity advocates) is...
- 5 (1) Section 38 (provision of accommodation by NHS body) is...
- 6 (1) Section 39 (provision of accommodation by local authority) is...
- 7 Omit sections 39A to 39E.
- 8 In section 40 (exceptions)— (a) in subsection (1), for “,...
- 9 (1) Section 42 (codes of practice) is amended as follows....
- 10 In section 50 (applications to the Court of Protection) for...
- 11 In section 64 (interpretation), in subsection (1)—
- 12 (1) Section 65 (rules, regulations etc) is amended as follows....

Part 2 — AMENDMENTS TO OTHER LEGISLATION

*Mental Health Act 2007 (c. 12)*

- 13 In Part 1 of Schedule 9 to the Mental Health...

**Changes to legislation:**

There are currently no known outstanding effects for the Mental Capacity (Amendment) Act 2019.