
STATUTORY INSTRUMENTS

2007 No. 563

**The Mental Capacity Act 2005 (Commencement
No. 1)(England and Wales) Order 2007**

Appointed day

- 2.—(1) The following provisions of the Act come into force on 1 April 2007—
- (a) sections 42(1), (2), (3), (6) and (7) and 43 (codes of practice); and
 - (b) section 44 (ill-treatment or neglect).
- (2) The following provisions of the Act come into force on 1 April 2007 for purposes relating to the independent mental capacity advocate service⁽¹⁾—
- (a) section 1 (principles);
 - (b) section 2 (people who lack capacity);
 - (c) section 3 (inability to make decisions);
 - (d) section 4 (best interests); and
 - (e) sections 42(4) and (5) (codes of practice).
- (3) The provisions of the Act listed in Article 2(2) also come into force on 1 April 2007 for the purposes of section 44 (ill-treatment or neglect).
- (4) Section 64 (interpretation) comes into force on 1 April 2007 for the purposes of —
- (a) Article 2(1);
 - (b) Article 2(2); and
 - (c) Article 2(3).

⁽¹⁾ The [Mental Capacity Act 2005 \(Commencement No.1\) Order \(2006/2814\)](#) (as amended by [SI 2006/3473](#)) brings sections 35 to 41 of the Act into force in England on 1 April 2007.