
STATUTORY INSTRUMENTS

2008 No. 1858

**The Mental Capacity (Deprivation of Liberty:
Standard Authorisations, Assessments and
Ordinary Residence) Regulations 2008**

PART 4

Assessments

Time frame for assessments

13.—(1) Except as provided in paragraph (2), all assessments required for a standard authorisation must be completed within the period of 21 days beginning with the date that the supervisory body receives a request for such an authorisation.

(2) Where a supervisory body receives a request for a standard authorisation and the managing authority has given an urgent authorisation under paragraph 76 of Schedule A1 to the Act, the assessments required for that standard authorisation must be completed within the period during which the urgent authorisation is in force.

Time limit for carrying out an assessment to decide whether or not there is an unauthorised deprivation of liberty

14. Subject to paragraph 69(3) to (5) of Schedule A1 to the Act, an assessment required under that paragraph must be completed within the period of 7 days beginning with the date that the supervisory body receives the request from an eligible person.

Relevant eligibility information

15.—(1) This regulation applies where an individual is being assessed and the eligibility assessor and the best interests assessor are not the same person.

(2) The eligibility assessor must request that the best interests assessor provides any relevant eligibility information that the best interests assessor may have.

(3) The best interests assessor must comply with any request made under this regulation.

(4) In this regulation “eligibility assessor” means a person selected to carry out the eligibility assessment under paragraph 46 of Schedule A1 to the Act.