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STATUTORY INSTRUMENTS

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**2008 No. 1858**

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

PART 2

Eligibility to carry out assessments

**Eligibility to carry out a mental capacity assessment**

6. A person is eligible to carry out a mental capacity assessment<sup>(1)</sup> if that person is eligible to carry out—

- (a) a mental health assessment; or
- (b) a best interests assessment.

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<sup>(1)</sup> A mental capacity assessment is an assessment carried out under paragraph 37 of Schedule A1 to the Act.