

## SCHEDULE

### Amendments in consequence of provisions of the Care Act 2014 and the Children and Families Act 2014

#### **Mental Capacity Act 2005 (c. 9)**

- 79.**—(1) Section 39 (provision of accommodation by local authority) is amended as follows.
- (2) After subsection (1) insert—
- “(1A) But this section applies only if—
- (a) in the case of a local authority in England, subsection (1B) applies;
- (b) in the case of a local authority in Wales, subsection (2) applies.”
- (3) After subsection (1A) (inserted by paragraph (2)) insert—
- “(1B) This subsection applies if the accommodation is to be provided in accordance with—
- (a) Part 1 of the Care Act 2014, or
- (b) section 117 of the Mental Health Act.”
- (4) In subsection (2), for “But this section applies only” substitute “This subsection applies”.