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WELSH STATUTORY INSTRUMENTS

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**2009 No. 783 (W.69)**

**MENTAL CAPACITY, WALES**

The Mental Capacity (Deprivation of Liberty:  
Assessments, Standard Authorisations and Disputes  
about Residence) (Wales) Regulations 2009

<i>Made</i>	- - - -	<i>24 March 2009</i>
<i>Laid before that National Assembly for Wales</i>		<i>11 February 2009</i>
<i>Coming into force</i>		<i>1 April 2009</i>

**THE MENTAL CAPACITY (DEPRIVATION OF LIBERTY:  
ASSESSMENTS, STANDARD AUTHORISATIONS AND  
DISPUTES ABOUT RESIDENCE) (WALES) REGULATIONS 2009**

PART 1

General

1. Title, commencement and application
2. Interpretation

PART 2

Eligibility to carry out assessments

3. Eligibility — general
4. Eligibility to carry out mental health assessment
5. Eligibility to carry out best interests assessments
6. Eligibility to carry out mental capacity assessment or eligibility assessment

PART 3

Selection of Assessors

7. Selection of assessors — general
8. Selection of best interests assessors

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## PART 4

### Assessment

9. Time frame for assessments
10. Time limit for carrying out an assessment to decide whether or not there is an unauthorised deprivation of liberty
11. Transitional Provisions for Standard Authorisations
12. Relevant eligibility information

## PART 5

### Request for a standard authorisation

13. Information to be provided in a request for a standard authorisation

## PART 6

### Supervisory bodies: care homes

### Dispute about the Place of Ordinary Residence

14. Application of Part 6
  15. Arrangements where there is a question as to the ordinary residence
  16. Effect of change in supervisory body following determination of any question about ordinary residence
- Signature  
Explanatory Note