

SCHEDULES

SCHEDULE 1

Authorisation by panel of certain serious interventions

Part 4

Decision on application

Interim authorisations

20.—(1) If at any time before the end of the period mentioned in paragraph 19(2) the panel considers—

- (a) that it will not be possible within that period to decide whether the criteria for authorisation are met in respect of a measure proposed in the application, but
- (b) that there is a good prospect of it being established that the criteria for authorisation are met in respect of the measure,

the panel may grant an interim authorisation.

(2) The power of the panel to grant an interim authorisation is power to grant an authorisation which—

- (a) does as mentioned in paragraph 15(1)(a); but
- (b) is expressed to have effect only until the end of the period of 28 days beginning with the date on which the interim authorisation is granted.

(3) Accordingly, an interim authorisation—

- (a) takes effect from the time when the authorisation is granted; and
- (b) expires (unless previously revoked) at the end of the period of 28 days beginning with the date on which it is granted.

(4) Paragraphs 15(2), (3) and (7) and 16 to 18 apply in relation to an interim authorisation as they apply in relation to an authorisation under paragraph 15.

(5) Where the panel grants an interim authorisation in relation to an application under this Schedule—

- (a) the period within which the panel must grant or refuse an authorisation under paragraph 15 in respect of the application is 28 days beginning with the date on which the interim authorisation is granted; and

- (b) the grant or refusal of an authorisation under paragraph 15 in respect of the application revokes the interim authorisation.
- (6) As soon as practicable after granting an interim authorisation, the panel must give written notice of the grant, and any prescribed information, to P and any prescribed person.
- (7) Regulations under sub-paragraph (6) must ensure that the Attorney General is given notice in any case where—
 - (a) the panel grants an interim authorisation that authorises a measure within paragraph 2(2)(b) or (d) (deprivation of liberty or community residence requirement); and
 - (b) the application under this Schedule contained the statement mentioned in paragraph 6(2) (statement that P lacks, or probably lacks, capacity in relation to making of Tribunal application).