
DRAFT STATUTORY INSTRUMENTS

2006 No.

MENTAL CAPACITY, ENGLAND

The Mental Capacity Act 2005 (Loss of Capacity
during Research Project) (England) Regulations 2006

<i>Made</i>	- - - - -	2006
<i>Coming into force</i>		
<i>for the purpose</i>		
<i>mentioned in</i>		
<i>regulation 1(1)(a)</i>		1st February 2007
<i>for all other purposes</i>		1st April 2007

THE MENTAL CAPACITY ACT 2005 (LOSS OF CAPACITY
DURING RESEARCH PROJECT) (ENGLAND) REGULATIONS 2006

1. Citation, commencement, territorial application and interpretation
 2. Application
 3. Research which may be carried out despite a participant's loss of capacity
- Signature

SCHEDULE 1 — Requirements which the project must satisfy

1. A protocol approved by an appropriate body and having effect...
2. The appropriate body is satisfied that there are reasonable arrangements...

SCHEDULE 2 — Steps which the person conducting the project must take

1. R must take reasonable steps to identify a person who—...
2. If R is unable to identify such a person he...
3. R must provide the person identified under paragraph 1, or...
4. If, at any time, the person consulted advises R that...
5. The fact that a person is the donee of a...
6. R must ensure that nothing is done in relation to...
7. The interests of P must be assumed to outweigh those...
8. If P indicates (in any way) that he wishes the...
9. The research in relation to P must be discontinued without...
10. R must conduct the research in accordance with the provision...

Draft Legislation: This is a draft item of legislation and has not yet been made as a UK Statutory Instrument.

Explanatory Note