

Status: Point in time view as at 02/11/2020.

Changes to legislation: Mental Capacity Act 2005, Paragraph 111 is up to date with all changes known to be in force on or before 20 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE A1

[^{F1}HOSPITAL AND CARE HOME RESIDENTS: DEPRIVATION OF LIBERTY]

Textual Amendments

- F1** Sch. A1 omitted (16.5.2019 for specified purposes) by virtue of [Mental Capacity \(Amendment\) Act 2019](#) (c. 18), s. 6(3), [Sch. 2 para. 2\(c\)](#)

[^{F1}PART 8

STANDARD AUTHORISATIONS: REVIEW

One or more reviewable qualifying requirements

- 111 (1) This paragraph applies if one or more qualifying requirements appear to be reviewable.
- (2) The supervisory body must secure that a separate review assessment is carried out in relation to each qualifying requirement which appears to be reviewable.
- (3) But sub-paragraph (2) does not require the supervisory body to secure that a best interests review assessment is carried out in a case where the best interests requirement appears to the supervisory body to be non-assessable.
- (4) The best interests requirement is non-assessable if—
- (a) the requirement is reviewable only on the variation of conditions ground, and
 - (b) the change in the relevant person's case is not significant.
- (5) In making any decision whether the change in the relevant person's case is significant, regard must be had to—
- (a) the nature of the change, and
 - (b) the period that the change is likely to last for.]

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