
Status: Point in time view as at 01/04/2008.

Changes to legislation: Mental Capacity Act 2005, Paragraph 3 is up to date with all changes known to be in force on or before 10 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)

SCHEDULES¹

[^{F1}SCHEDULE A1

HOSPITAL AND CARE HOME RESIDENTS: DEPRIVATION OF LIBERTY

PART 1

AUTHORISATION TO DEPRIVE RESIDENTS OF LIBERTY ETC

No liability for acts done for purpose of depriving P of liberty

- 3 (1) This paragraph applies to any act which a person (“D”) does for the purpose of detaining P as mentioned in paragraph 1(2).
- (2) D does not incur any liability in relation to the act that he would not have incurred if P—
- (a) had had capacity to consent in relation to D's doing the act, and
 - (b) had consented to D's doing the act.]

Status:

Point in time view as at 01/04/2008.

Changes to legislation:

Mental Capacity Act 2005, Paragraph 3 is up to date with all changes known to be in force on or before 10 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.