



# Mental Capacity Act 2005

## 2005 CHAPTER 9

### PART 2

#### THE COURT OF PROTECTION AND THE PUBLIC GUARDIAN

##### *Practice and procedure*

#### [<sup>F1</sup>52 Practice directions

- (1) Directions as to the practice and procedure of the court may be given in accordance with Part 1 of Schedule 2 to the Constitutional Reform Act 2005.
- (2) Practice directions given otherwise than under subsection (1) may not be given without the approval of—
  - (a) the Lord Chancellor, and
  - (b) the Lord Chief Justice.
- (3) The Lord Chief Justice may nominate any of the following to exercise his functions under this section—
  - (a) the President of the Court of Protection;
  - (b) a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005).<sup>F1</sup>

#### Textual Amendments

- F1** S. 52 substituted (3.4.2006) by The Lord Chancellor (Transfer of Functions and Supplementary Provisions) (No.2) Order 2006 (S.I. 2006/1016), arts. 1, 2, **Sch. 1 para. 35**

**Status:**

Point in time view as at 18/09/2012.

**Changes to legislation:**

Mental Capacity Act 2005, Section 52 is up to date with all changes known to be in force on or before 26 September 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.