

## SCHEDULES

### SCHEDULE 9 **U.K.**

#### AMENDMENTS RELATING TO NEW SECTION 4A OF, & SCHEDULE A1 TO, MENTAL CAPACITY ACT 2005

#### PART 1 **U.K.**

#### OTHER AMENDMENTS TO MENTAL CAPACITY ACT 2005

##### *Section 65: Rules, regulations and orders*

11 <sup>F1</sup>(1) Section 65 is amended as follows.

(2) After subsection (4) insert—

“(4A) Subsection (2) does not apply to a statutory instrument containing regulations made by the Secretary of State under Schedule A1.

(4B) If such a statutory instrument contains regulations under paragraph 42(2) (b), 129, 162 or 164 of Schedule A1 (whether or not it also contains other regulations), the instrument may not be made unless a draft has been laid before and approved by resolution of each House of Parliament.

(4C) Subject to that, such a statutory instrument is subject to annulment in pursuance of a resolution of either House of Parliament.”]

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#### **Textual Amendments**

**F1** Sch. 9 para. 11 omitted (16.5.2019 for specified purposes) by virtue of [Mental Capacity \(Amendment\) Act 2019 \(c. 18\)](#), s. 6(3), [Sch. 2 para. 13](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Mental Health Act 2007, Paragraph 11.