

SCHEDULES

SCHEDULE 5

PART 1: AMENDMENTS OF OTHER ENACTMENTS

Mental Capacity Act 2005 (c. 9)

- 134 In section 35 (appointment of independent mental capacity advocates)—
- (a) in subsection (1), for “appropriate authority” substitute “responsible authority”,
 - (b) in subsection (4), for “appropriate authority” substitute “responsible authority”, and
 - (c) after subsection (6) insert—
 - “(6A) In subsections (1) and (4), “the responsible authority” means—
 - (a) in relation to the provision of the services of independent mental capacity advocates in the area of a local authority in England, that local authority, and
 - (b) in relation to the provision of the services of independent mental capacity advocates in Wales, the Welsh Ministers.
 - (6B) In subsection (6A)(a), “local authority” has the meaning given in section 64(1) except that it does not include the council of a county or county borough in Wales.”