
WELSH STATUTORY INSTRUMENTS

2009 No. 783

**The Mental Capacity (Deprivation of Liberty:
Assessments, Standard Authorisations and Disputes
about Residence) (Wales) Regulations 2009**

PART 1

General

Title, commencement and application

1.—(1) These Regulations are called the Mental Capacity (Deprivation of Liberty: Assessments, Standard Authorisations and Disputes about Residence) (Wales) Regulations 2009 and come into force on 1 April 2009.

(2) These Regulations apply in relation to Wales.

Interpretation

2.—(1) In these Regulations—

“the Act” (“*y Ddeddf*”) means the Mental Capacity Act 2005;

“approved mental health professional” (“*gweithiwr proffesiynol iechyd meddwl a gymeradwywyd*”) means a person approved under section 114(1) of the Mental Health Act 1983⁽¹⁾

“best interests assessor” (“*asesydd lles pennaf*”) means a person selected to carry out a best interests assessment under paragraph 38 of Schedule A1 to the Act;

“Care Council for Wales” (“*Cyngor Gofal Cymru*”) has the meaning given by section 54(1) of the Care Standards Act 2000;

“eligibility assessor” (“*asesydd cymhwysra*”) means a person selected to carry out the eligibility assessment under paragraph 46 of Schedule A1 to the Act.

(2) For the purpose of these Regulations “supervisory body” (“*corff goruchwyllo*”) includes a Local Health Board exercising supervisory functions in accordance with regulation 3 of the Mental Capacity (Deprivation of Liberty: Appointment of Relevant Representative) (Wales) Regulations 2009⁽²⁾.

(1) 1983 c. 20. Section 114 was substituted by section 18 of the Mental Health Act 2007.

(2) S.I.2009/266 (W.29).