

Mental Capacity (Amendment) Bill [HL]

AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

Schedule 1

BARONESS JOLLY
BARONESS THORNTON

Page 6, line 4, at end insert –

- “() Arrangements that give rise to a deprivation of the cared-for person’s liberty occur when a responsible authority –
- (a) places the cared-for person, P, under continuous supervision and control,
 - (b) ensures that P is not free to leave, and
 - (c) deems those arrangements to be in P’s best interests.”

Page 12, line 18, at end insert –

- “(3) Where any interested party objects to the determination that arrangements are necessary and proportionate, an Approved Mental Capacity Professional (AMCP) must be engaged and the AMCP may, where they deem it necessary, refer disputes to the court.”

Page 13, line 30, at end insert –

- “(c) consider whether a referral to the court is required.”

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29 August 2018
