

# Mental Capacity (Amendment) Bill [HL]

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## AMENDMENTS TO BE MOVED ON REPORT

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### Schedule 1

BARONESS FINLAY OF LLANDAFF

Page 10, leave out lines 14 to 16

Page 14, line 7, at end insert—

*“Dispute*

- 21A(1) In the case of disagreement over any aspect of the authorisation between any of the relevant parties, an independent Approved Mental Capacity Professional must be appointed, by the responsible body, to review the proposed arrangements and conduct an investigation into the areas of disagreement and conduct assessments as necessary.
- (2) If, following a review, investigation or assessment under subparagraph (1), agreement is still not reached on the arrangements, independent mediation must be considered prior to proceeding to the Court of Protection.”

Page 15, line 17, leave out from beginning of line 17 to end of line 4 on page 16 and insert—

“27 The responsible body may renew an authorisation if the responsible body has carried out consultation under paragraph 17 and the cared-for person, and others who are interested in the care of the cared-for person, are satisfied with the arrangements.”

Page 16, leave out lines 13 and 14

Page 16, line 15, leave out “, in any other case”

Page 17, leave out lines 1 and 2

Page 18, line 15, leave out “proposing or”

**Schedule 1** - *continued*

Page 18, leave out lines 31 to 33

Page 18, leave out lines 37 and 38

Page 18, line 39, leave out “, in any other case”

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*12 November 2018*

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