

# Mental Capacity (Amendment) Bill [HL]

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AMENDMENTS  
TO BE MOVED  
ON REPORT

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**After Clause 3**

LORD HUNT OF KINGS HEATH

Insert the following new Clause—

**“Code of practice**

- (1) Before any of the provisions of this Act other than those which come into force on its passing can come into force, the Lord Chancellor must by regulations made by statutory instrument revise the codes of practice required by section 42 of the Mental Capacity Act 2005 to take account of Schedule AA1 to that Act.
- (2) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (3) Subsequent revisions to the codes of practice, to the extent that they cover Schedule AA1 to the Mental Capacity Act 2005, must be made according to the procedure set out in this section.”

**Clause 5**

LORD HUNT OF KINGS HEATH

Page 4, line 14, after first “section,” insert “section (*Code of practice*),”

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*16 November 2018*

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