

Mental Capacity (Amendment) Bill [HL]

AMENDMENTS
TO BE MOVED
ON REPORT

[Supplementary to the Marshalled List]

After Clause 3

BARONESS THORNTON

Insert the following new Clause—

“Requirements before commencement: consultation etc

- (1) Before any provisions of this Act other than those which come into force on its passing come into force, the requirements under subsection (2) must be met.
- (2) The requirements are as follows—
 - (a) the provisions of this Act must be subject to public consultation and the Secretary of State must publish a report detailing which of the provisions of the Act will be consulted on, by whom and by when;
 - (b) the Secretary of State must publish his or her consideration of the conclusions of the Independent Review of the Mental Health Act relevant to the deprivation of liberty in accordance with the provisions of the Mental Capacity Act 2005, and in particular Schedule AA1 of that Act;
 - (c) the Secretary of State must conduct further consultation with vulnerable people, families, charities, providers, practitioners and other relevant stakeholders regarding the provisions in this Act and publish the results;
 - (d) the Secretary of State must publish an equality impact assessment on the impact of the provisions of this Act on persons with protected characteristics under the Equality Act 2010.”

Clause 5

BARONESS THORNTON

Page 4, line 14, after first “section,” insert “section (*Requirements before commencement: consultation etc*),”

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22 November 2018
