

dignity &

rights

ADVICE NOTES

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Except in emergencies, the Act requires that medical treatment is authorised under a certificate granted (usually) by the medical practitioner.

There may also be a welfare proxy (attorney, guardian or holder of an intervention order) with the authority to consent. If so, the section 47 certificate of incapacity is still required, as well as the consent of the welfare proxy.

The [code of practice](#) makes this clear.

Also, a reminder that a section 47 certificate does not authorise transfer to hospital.

See our [Consent to Treatment guidance](#) on this.





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