

*Status: This version of this contains provisions that are prospective.*

*Changes to legislation: Mental Capacity Act (Northern Ireland) 2016, Paragraph 35 is up to date with all changes known to be in force on or before 26 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## SCHEDULES

### SCHEDULE 8

#### Amendments of Mental Health Order

PROSPECTIVE

- 35.**—(1) Article 67 (review of treatment) is amended as follows.
- (2) In paragraph (1) after “63(2)” insert “, 63A, 63B ”.
- (3) In paragraph (2)—
- (a) for “subject to a restriction order or restriction direction” substitute “liable to be detained by virtue of an order or direction under Part 10 of the 2016 Act”;
- (b) in sub-paragraph (b) for the words from “the responsible medical officer” to the end substitute “ a relevant report is made in respect of the patient. ”.
- (4) After that paragraph insert—
- “(2A) In paragraph (2)(b) “relevant report” means a report under any of the following provisions of the 2016 Act—
- (a) section 183 or paragraph 5 of Schedule 6 (reports extending public protection orders without restrictions);
- (b) section 193 (reports on persons subject to public protection orders with restrictions);
- (c) section 201 (reports on persons subject to hospital directions and hospital transfer directions).”.
- (5) In paragraph (3)—
- (a) after “63(2)” insert “, 63A, 63B ”;
- (b) for “63 and 64” substitute “ 63 to 64 ”.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 285(2)(a)-(c) substituted for s. 285(2)(a)(b) by [2022 c. 18 \(N.I.\) Sch. 3 para. 77\(b\)](#)