

Changes to legislation: The Mental Health (Northern Ireland) Order 1986 is up to date with all changes known to be in force on or before 05 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 1

Articles 6, 12(2) and 20(1).

PERSONS BY WHOM A MEDICAL RECOMMENDATION OR MEDICAL REPORT UNDER ARTICLE 12 MAY NOT BE GIVEN

Modifications etc. (not altering text)

- C1** Sch. 1 applied (31.3.2013) by [Mental Health \(Private Hospitals\) Regulations \(Northern Ireland\) 2012 \(S.R. 2012/403\)](#), regs. 1, **3(10)**, 4
- C2** Sch. 1 applied (31.3.2013) by [Mental Health \(Private Hospitals\) Regulations \(Northern Ireland\) 2013 \(S.R. 2013/22\)](#), regs. 1, **3(10)**, 4

1. The applicant or a partner of, or person employed as an assistant by, the applicant.
2. A person who receives, or has an interest in the receipt of, any payments made on account of the maintenance of the patient.
3. The spouse,^{F1} civil partner,[]] parent, father-in-law, mother-in-law, child, son-in-law, daughter-in-law, brother, brother-in-law, sister or sister-in-law of the patient.

F1 [2004 c. 33](#)

4. A person who is living with the patient as if he or she were the spouse^{F2} or civil partner] of the patient (or, if the patient is for the time being an in-patient in a hospital, was so living until the patient was admitted) and has been or had been so living for a period of not less than 6 months.

F2 [2004 c. 33](#)

5. A person with whom the patient ordinarily resides (or, if the patient is for the time being an in-patient in a hospital, last ordinarily resided before he was admitted) and with whom he has or had been ordinarily residing for a period of not less than 5 years.

SCHEDULE 2

Articles 46(6), 47(2) and (4) and 61(6).

APPLICATION OF PART II TO PATIENTS DETAINED OR SUBJECT TO GUARDIANSHIP UNDER PART III

PART I

PATIENTS NOT SUBJECT TO SPECIAL RESTRICTIONS

1. Articles 15, 16, 17, 25, 26, 27, 30, 31, 32, 33, 34, 35 and 38 shall apply in relation to the patient without modification.

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2. Articles 12, 13, 14, 22, 23, 24, 28, 29, 36 and 37 shall apply in relation to the patient with the modifications specified in paragraphs 3 to 12.

3. In Article 12—

(a) for paragraph (1) there shall be substituted—

“(1) Subject to the provisions of this Order, a patient admitted to hospital in pursuance of an order or direction under Part III may be detained in the hospital for treatment for a period not exceeding 6 months beginning with the date of the relevant order or direction under Part III, but shall not be so detained for any longer period unless the authority for his detention is renewed under Article 13.”;

(b) paragraphs (2) and (3) shall be omitted;

(c) in paragraph (4) for the words from “report furnished” to the end there shall be substituted the words “order or direction under Part III in pursuance of which a patient is admitted to hospital”;

(d) in paragraph (5) the words “a report under” where they first occur shall be omitted.

4. In Article 13—

(a) in paragraphs (2), (3) and (5) references to Article 12(1)(a), (b), (c) and (d) shall have effect as if paragraph 3(a) of this Part were omitted;

(b) in paragraph (4)(c) for the words from “who has not” to the end there shall be substituted the words “whose evidence has not been taken into account by a court before making an order under Part III in respect of the patient or, as the case may be, whose report has not been taken into account by the Secretary of State before giving a direction in respect of the patient under that Part”.

5. In Article 14 there shall be omitted—

(a) in paragraph (1), the reference to the nearest relative;

(b) paragraphs (4) to (7).

6. In Article 22—

(a) paragraphs (1), (2) and (4) shall be omitted;

(b) in paragraph (3) for the words “received into guardianship in pursuance of a guardianship application” there shall be substituted the words “placed under guardianship by a guardianship order” and for the words “day on which the guardianship application was accepted” there shall be substituted the words “date of the relevant guardianship order under Part III”;

(c) in paragraph (5) for the words “received into guardianship in pursuance of a guardianship application” there shall be substituted the words “placed under guardianship by a guardianship order” and for the words from “the guardianship application” to the end there shall be substituted the words “the relevant guardianship order under Part III”.

7. In Article 23—

(a) in paragraph (2)(a) and (b) for the words “continues to apply” there shall be substituted the word “applies”;

(b) in paragraph (2)(b) for the words “continue so to apply” there shall be substituted the words “so apply”;

(c) in paragraph (5) for the words “the guardianship application, that application” there shall be substituted the words “the relevant guardianship order under Part III, that order”.

8. In Article 24 there shall be omitted—

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- (a) in paragraph (1), the reference to the nearest relative;
- (b) paragraphs (4) to (7).

9. In Article 28—

- (a) in paragraph (2) for the words from “as if” to the end there shall be substituted the words “ as if [^{F3}the trust] had designated under Article 46(2)(a) the hospital to which he is transferred ”;
- (b) paragraphs (3) and (4) shall be omitted;
- (c) in paragraph (6) for the words from “guardianship application” to the end there shall be substituted the words “ guardianship order under Part III by virtue of which he was subject to guardianship before being transferred were an order placing him under the guardianship of the person into whose guardianship he is transferred ”;
- (d) in paragraph (7) for the words from “application for assessment” to the end there shall be substituted the words “ order or direction under Part III by virtue of which he was liable to be detained in hospital before being transferred were an order placing him under the guardianship of the person into whose guardianship he is transferred ”.

F3 Words in [Sch. 2 Pt. I para. 9\(a\)](#) substituted (1.4.2022) by [Health and Social Care Act \(Northern Ireland\) 2022 \(c. 3\), s. 8\(1\)\(b\), Sch. 1 para. 100\(2\)](#); S.R. 2022/102, art. 2(b)

10. In Article 29 paragraph (4) shall be omitted.

11. In Article 36(3) sub-paragraphs (c) and (d) shall be omitted.

12. In Article 37(4) for sub-paragraphs (a) and (b) there shall be substituted the words “ when the patient ceases to be liable to be detained or subject to guardianship under this Order (otherwise than on being transferred by virtue of Article 28) ”.

PART II

PATIENTS SUBJECT TO SPECIAL RESTRICTIONS

1. Articles 16, 17, 27, 32, 33, 35 and 38 shall apply in relation to the patient without modification.

2. Articles 12(4), 15, 28, 29, 34, 36 and 37 shall apply in relation to the patient with the modifications specified in paragraphs 3 to 9.

3. In Article 12(4) for the words from “report furnished” to the end there shall be substituted the words “ order or direction under Part III in pursuance of which a patient is admitted to hospital ”.

4. In Article 15—

- (a) in paragraph (1) after the word “may” there shall be inserted the words “ with the consent of the Secretary of State ”;
- (b) in paragraph (5) after the words “the responsible medical officer” and “that officer” there shall be inserted the words “ or the Secretary of State ”;
- (c) in paragraph (6) after the word “recalled” there shall be inserted the words “ by the responsible medical officer ” and for the words from “he has ceased” to the end there shall be substituted the words “ the expiration of the period of 6 months beginning with the first day of his absence on leave ”.

5. In Article 28—

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- (a) in paragraph (1) after the word “may” there shall be inserted the words “ with the consent of the Secretary of State ”;
 - (b) in paragraph (2) for the words from “as if” to the end there shall be substituted the words “ as if the Department had designated under Article 46(2)(a) the hospital to which he is transferred ”;
 - (c) paragraphs (3) to (7) shall be omitted.
6. In Article 29 paragraphs (2) and (3) and (4) and the words “subject to paragraphs (3) and (4)” in paragraph (1) shall be omitted.
7. In Article 34 paragraph (3) shall be omitted.
8. In Article 36(3) sub-paragraphs (c) and (d) shall be omitted.
9. In Article 37(4) for sub-paragraphs (a) and (b) there shall be substituted the words “ when the patient ceases to be liable to be detained under this Order ”.

[^{F4}SCHEDULE 2A

Article 50A(6).

SUPERVISION AND TREATMENT ORDERS

F4 1996 NI 24

PART I PRELIMINARY

1.—(1) In this Schedule “supervision and treatment order” means an order requiring the person in respect of whom it is made (“the supervised person”)—

- (a) to be under the supervision of a social worker or probation officer (“the supervising officer”) for a period specified in the order of not more than [^{F5}3 years]; and
- (b) to submit, during the whole of that period or such part of it as may be specified in the order, to treatment by or under the direction of a medical practitioner with a view to the improvement of his mental condition.

(2) The Secretary of State may by order direct that sub-paragraph (1) shall be amended by substituting, for the period specified in that sub-paragraph, such period as may be specified in the order.

(3) An order under sub-paragraph (2) may make in paragraph 8(2) any amendment which the Secretary of State thinks necessary in consequence of any substitution made by the order.

[^{F6}(4) An order under sub-paragraph (2) is subject to negative resolution.]

F5 Words in Sch. 2A para. 1(1)(a) substituted (30.6.2011) by [Supervision and Treatment Orders \(Maximum Period\) \(Northern Ireland\) Order 2011 \(S.R. 2011/115\)](#), **art. 2(2)**

F6 Sch. 2A para. 1(4) substituted (12.4.2010) by [Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), arts. 1(2), 4(3), **Sch. 2 para. 10(2)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

PART II

MAKING AND EFFECT OF ORDERS

Circumstances in which orders may be made

- 2.—(1) The court shall not make a supervision and treatment order unless it is satisfied—
- (a) that, having regard to all the circumstances of the case, the making of such an order is the most suitable means of dealing with the accused or appellant; and
 - (b) on the oral evidence of a medical practitioner appointed for the purposes of Part II by [F7RQIA] and on the written or oral evidence of one other medical practitioner, that the mental condition of the accused or appellant—
 - (i) is such as requires and may be susceptible to treatment; but
 - (ii) is not such as to warrant the making of an order under Article 50A(2)(a), or the making of a guardianship order.
- (2) The court shall not make a supervision and treatment order unless it is also satisfied—
- (a) that the supervising officer intended to be specified in the order is willing to undertake the supervision; and
 - (b) that arrangements have been made for the treatment intended to be specified in the order (including arrangements for the reception of the accused or appellant where he is to be required to submit to treatment as a resident patient).

F7 Words in Order substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009](#) (c. 1), ss. 32, 34(3), [Sch. 6 para. 8\(1\)](#) (subject to [Sch. 6 para. 8\(2\)-\(4\)](#)); S.R. 2009/114, [art. 2](#)

Making of orders and general requirements

- 3.—(1) A supervision and treatment order shall either—
- (a) specify ^{F8}... an authorised [F9HSC trust] for the area in which the supervised person resides or will reside, and require him to be under the supervision of a social worker of that ^{F10}... authorised [F9HSC trust] ; or
 - [F11](b) require him to be under the supervision of a probation officer.]
- (2) Before making such an order, the court shall explain to the supervised person in ordinary language—
- (a) the effect of the order (including any requirements proposed to be included in the order in accordance with paragraph 5); and
 - (b) that a court of summary jurisdiction has power under paragraphs 6 to 8 to review the order on the application either of the supervised person or of the supervising officer.
- (3) After making such an order, the court shall forthwith give copies of the order to a probation officer assigned to the court, and he shall give a copy—
- (a) to the supervised person;
 - (b) to the supervising officer; and
 - (c) to the ^{F12}... authorised [F9HSC trust] managing any hospital in which the supervised person is required by the order to reside.

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^{F13}(4)

(5) Where such an order is made, the supervised person shall keep in touch with the supervising officer in accordance with such instructions as he may from time to time be given by that officer and shall notify him of any change of address.

F8	Words in Sch. 2A para. 3(1)(a) omitted (1.4.2022) by virtue of Health and Social Care Act (Northern Ireland) 2022 (c. 3) , s. 8(1)(b), Sch. 1 para. 101(2)(a) ; S.R. 2022/102, art. 2(b)
F9	Words in Order substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1) , ss. 32, 34(3), Sch. 6 para. 1(1)(d) (with Sch. 6 para. 1(3)); S.R. 2009/114, art. 2
F10	Words in Sch. 2A para. 3(1)(a) omitted (1.4.2022) by virtue of Health and Social Care Act (Northern Ireland) 2022 (c. 3) , s. 8(1)(b), Sch. 1 para. 101(2)(b) ; S.R. 2022/102, art. 2(b)
F11	Sch. 2A para. 3(1)(b) substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9) , s. 106(2), Sch. 1 para. 94(2) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)
F12	Words in Sch. 2A para. 3(3)(c) omitted (1.4.2022) by virtue of Health and Social Care Act (Northern Ireland) 2022 (c. 3) , s. 8(1)(b), Sch. 1 para. 101(3) ; S.R. 2022/102, art. 2(b)
F13	Sch. 2A para. 3(4) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9) , s. 106(2), Sch. 1 para. 94(3) , Sch. 9 Pt. 1 (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

Obligatory requirements as to medical treatment

4.—(1) A supervision and treatment order shall include a requirement that the supervised person shall submit, during the whole of the period specified in the order or during such part of that period as may be so specified, to treatment by or under the direction of a medical practitioner with a view to the improvement of his mental condition.

(2) The treatment required by any such order shall be such one of the following kinds of treatment as may be specified in the order, that is to say—

- (a) treatment as an in-patient in a hospital or nursing home, not being special accommodation within the meaning of Article 110;
- (b) treatment as an out-patient at such hospital as may be specified in the order; and
- (c) treatment by or under the direction of such medical practitioner as may be so specified;

but the nature of the treatment shall not be specified in the order except as mentioned in sub-paragraph (a), (b) or (c).

(3) While the supervised person is under treatment as an in-patient in pursuance of a requirement of a supervision and treatment order, the supervising officer shall carry out the supervision to such extent only as may be necessary for the purpose of the revocation or amendment of the order.

(4) Where the medical practitioner by whom or under whose direction the supervised person is being treated for his mental condition in pursuance of a supervision and treatment order is of the opinion that part of the treatment can be better or more conveniently given in or at a hospital which—

- (a) is not specified in the order; and
- (b) is one in or at which the treatment of the supervised person will be given by or under the direction of a medical practitioner,

he may, with the consent of the supervised person, make arrangements for him to be treated accordingly.

(5) Such arrangements as are mentioned in sub-paragraph (4) may provide for the supervised person to receive part of his treatment as an in-patient in a hospital notwithstanding that the hospital is not one which could have been specified for that purpose in the supervision and treatment order.

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(6) Where any such arrangements as are mentioned in sub-paragraph (4) are made for the treatment of a supervised person—

- (a) the medical practitioner by whom the arrangements are made shall give notice in writing to the supervising officer, specifying the hospital in or at which the treatment is to be carried out; and
- (b) the treatment provided for by the arrangements shall be deemed to be treatment to which he is required to submit in pursuance of the supervision and treatment order.

Optional requirements as to residence

5.—(1) Subject to sub-paragraphs (2) and (3), a supervision and treatment order may include requirements as to the residence of the supervised person.

(2) Before making such an order containing any such requirement, the court shall consider the home surroundings of the supervised person.

(3) Where such an order requires the supervised person to reside in a hospital, the period for which he is so required to reside shall be specified in the order.

PART III

REVOCATION AND AMENDMENT OF ORDERS

Revocation of order in interests of health or welfare

6. Where a supervision and treatment order is in force in respect of any person and, on the application of the supervised person or the supervising officer, it appears to the court which made the order that, having regard to circumstances which have arisen since the order was made, it would be in the interests of the health or welfare of the supervised person that the order should be revoked, the court may revoke the order.

Amendment of order by reason of change of residence.

7.—^{F14}(1) This paragraph applies where—

- (a) a supervision and treatment order is in force in respect of any person;
- (b) that order requires the supervised person to be under the supervision of a social worker of an authorised HSC trust; and
- (c) a court of summary jurisdiction is satisfied that the supervised person proposes to change, or has changed, his residence to the area of another authorised HSC trust.]

(2) Subject to sub-paragraph (3), the court may, and on the application of the supervising officer shall, amend the supervision and treatment order by substituting the other area [^{F15}for the area specified in the order] .

(3) The court shall not amend under this paragraph a supervision and treatment order which contains requirements which in the opinion of the court, cannot be complied with unless the supervised person continues to reside in the area ^{F16}... specified in the order unless, in accordance with paragraph 8, it either—

- (a) cancels those requirements; or

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- (b) substitutes for those requirements other requirements which can be complied with if the supervised person ceases to reside in that area^{F16}....

- F14** Sch. 2A para. 7(1) substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), **Sch. 1 para. 94(4)** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)
- F15** Words in Sch. 2A para. 7(2) substituted (31.10.2016) by virtue of Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), **Sch. 1 para. 94(5)** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)
- F16** Words in Sch. 2A para. 7(3) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 94(6), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

Amendment of requirements of order

8.—(1) Without prejudice to the provisions of paragraph 7, but subject to sub-paragraph (2), a court of summary jurisdiction^{F17}... may, on the application of the supervised person or the supervising officer, by order amend a supervision and treatment order—

- (a) by cancelling any of the requirements of the order; or
- (b) by inserting in the order (either in addition to or in substitution for any such requirement) any requirement which the court could include if it were the court by which the order was made and were then making it.

(2) The power of a court of summary jurisdiction under sub-paragraph (1) shall not include power to amend an order by extending the period specified in it beyond the end of [^{F18}3 years] from the date of the original order.

- F17** Words in Sch. 2A para. 8(1) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 94(7), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)
- F18** Words in Sch. 2A para. 8(2) substituted (30.6.2011) by Supervision and Treatment Orders (Maximum Period) (Northern Ireland) Order 2011 (S.R. 2011/115), **art. 2(3)**

Amendment of requirements in pursuance of medical report

9.—(1) Where the medical practitioner by whom or under whose direction the supervised person is being treated for his mental condition in pursuance of any requirement of a supervision and treatment order—

- (a) is of the opinion mentioned in sub-paragraph (2); or
- (b) is for any reason unwilling to continue to treat or direct the treatment of the supervised person,

he shall make a report in writing to that effect to the supervising officer and that officer shall apply under paragraph 8 to a court of summary jurisdiction^{F19}... for the variation or cancellation of the requirement.

- (2) The opinion referred to in sub-paragraph (1) is—
- (a) that the treatment of the supervised person should be continued beyond the period specified in the supervision and treatment order;
- (b) that the supervised person needs different treatment, being treatment of a kind to which he could be required to submit in pursuance of such an order;
- (c) that the supervised person has failed without reasonable excuse to comply with any of the requirements of the treatment;

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- (d) that the supervised person is not susceptible to treatment; or
- (e) that the supervised person does not require further treatment.

F19 Words in Sch. 2A para. 9(1) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 94(8), Sch. 9 Pt. 1 (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

Supplemental

10.—(1) On the making under paragraph 6 of an order revoking a supervision and treatment order, the court shall forthwith give copies of the revoking order to the supervising officer.

(2) A supervising officer to whom in accordance with sub-paragraph (1) copies of a revoking order are given shall give a copy to the supervised person and to the person in charge of any hospital in which the supervised person was required by the order to reside.

11.—^{F20}(1) On the making under paragraph 7 or 8 of an order amending a supervision and treatment order, the clerk of petty sessions shall forthwith give copies of the amending order to the supervising officer.]

(2) Where in accordance with sub-paragraph (1) copies of an order are given to the supervising officer, he shall give a copy to the supervised person and to the person in charge of any hospital in which the supervised person is or was required by the order to reside.]

F20 Sch. 2A para. 11(1) substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 94(9) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)

SCHEDULE 3

Article 70(1).

[^{F21}THE REVIEW TRIBUNAL]

F21 Sch. 3 title substituted (2.12.2019) by Mental Capacity Act (Northern Ireland) 2016 (c. 18), s. 307(2), Sch. 8 para. 71(2) (with ss. 285-287); S.R. 2019/163, art. 2(2), Sch. Pt. 2 (with art. 3) (as amended by S.R. 2019/190, art. 2)

1. The Review Tribunal shall consist of—

- (a) a number of persons (referred to in this Schedule as “the legal members”) appointed by the [^{F22}Northern Ireland Judicial Appointments Commission] and having such legal experience as the [^{F23}[^{F24}Department of Justice]] considers suitable [^{F25}after consultation with the Lord Chief Justice];
- (b) a number of persons (referred to in this Schedule as “the medical members”) being medical practitioners appointed by the [^{F26}Northern Ireland Judicial Appointments Commission]^{F27}. . . ; and
- (c) a number of persons appointed by the [^{F22}Northern Ireland Judicial Appointments Commission]^{F28}. . . and having such experience in administration, such knowledge of [^{F29}social care] or such other qualifications or experience as the [^{F23}[^{F30}Department of Justice]] considers suitable.

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- F22** Words in Sch. 3 para. 1(a)(c) substituted (12.4.2010) by Northern Ireland Act 2009 (c. 3), ss. 2(3), 5(7), **Sch. 4 para. 20(2)(a)** (with Sch. 5 para. 16); S.I. 2010/812, **art. 2**
- F23** Words in Sch. 3 para. 1(a)(c) substituted (12.4.2010) by Northern Ireland Act 2009 (c. 3), ss. 2(3), 5(7), **Sch. 4 para. 20(2)(b)** (with Sch. 5 para. 16); S.I. 2010/812, **art. 2**
- F24** Words in Sch. 3 para. 1(a) substituted (12.4.2010) by Department of Justice Act (Northern Ireland) 2010 (c. 3), ss. 1(5), 3(2), **Sch. para. 6**; S.R. 2010/147, **art. 2(2)**
- F25** Words in Sch. 3 para. 1(a) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(2), 148(1), Sch. 5 para. 75(2)(a); S.I. 2006/1014, **art. 2(a)**, Sch. 1 paras. 10, 12(a)
- F26** Words in Sch. 3 para. 1(b) substituted (12.4.2010) by Northern Ireland Act 2009 (c. 3), ss. 2(3), 5(7), **Sch. 4 para. 20(3)** (with Sch. 5 para. 16); S.I. 2010/812, **art. 2**
- F27** Words in Sch. 3 para. 1(b) repealed (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(2), 146, 148(1), Sch. 5 para. 75(2)(b), Sch. 18 Pt. 3; S.I. 2006/1014, **art. 2(a)**, Sch. 1 paras. 10, 12(a), 29, 30(c)
- F28** Words in Sch. 3 para. 1(c) repealed (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(2), 146, 148(1), Sch. 5 para. 75(2)(b), Sch. 18 Pt. 3; S.I. 2006/1014, **art. 2(a)**, Sch. 1 paras. 10, 12(a), 29, 30(c)
- F29** Words in Order substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 1(1)(a)** (with Sch. 6 para. 1(2)(3)); S.R. 2009/114, **art. 2**
- F30** Words in Sch. 3 para. 1(c) substituted (12.4.2010) by Department of Justice Act (Northern Ireland) 2010 (c. 3), ss. 1(5), 3(2), **Sch. para. 6**; S.R. 2010/147, **art. 2(2)**

[^{F31}1A.—(1) The Lord Chief Justice may nominate any of the following to exercise his functions under sub-paragraph 1(a)—

- (a) the holder of one of the offices listed in Schedule 1 to the Justice (Northern Ireland) Act 2002;
- (b) a Lord Justice of Appeal (as defined in section 88 of that Act).

(2) As part of the selection process for an appointment under paragraph 1(b) or (c) the Northern Ireland Judicial Appointments Commission shall consult the Head of the Department.]

- F31** Sch. 3 para. 1A inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(2), 148(1), Sch. 5 para. 75(3); S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 10, 12(a)

2.—[^{F32}(1)] The members of the Review Tribunal shall hold and vacate office under the terms of the instrument under which they are appointed, but may resign office by notice in writing to the [^{F33}Northern Ireland Judicial Appointments Commission]; and any such member who ceases to hold office shall be eligible for re-appointment.

[^{F34}(2) The terms mentioned in sub-paragraph (1) are to be determined by the Northern Ireland Judicial Appointments Commission with the agreement of the [^{F35}Department of Justice].]

- F32** Sch. 3 para. 2 renumbered (12.4.2010) as Sch. 3 para. 2(1) by Northern Ireland Act 2009 (c. 3), ss. 2(3), 5(7), **Sch. 4 para. 20(4)** (with Sch. 5 para. 16); S.I. 2010/812, **art. 2**
- F33** Words in Sch. 3 para. 2 substituted (12.4.2010) by Northern Ireland Act 2009 (c. 3), ss. 2(3), 5(7), **Sch. 4 para. 20(3)** (with Sch. 5 para. 16); S.I. 2010/812, **art. 2**
- F34** Sch. 3 para. 2(2) inserted (12.4.2010) by Northern Ireland Act 2009 (c. 3), ss. 2(3), 5(7), **Sch. 4 para. 20(4)** (with Sch. 5 para. 16); S.I. 2010/812, **art. 2**
- F35** Words in Sch. 3 para. 2(2) substituted (12.4.2010) by Department of Justice Act (Northern Ireland) 2010 (c. 3), ss. 1(5), 3(2), **Sch. para. 6**; S.R. 2010/147, **art. 2(2)**

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3. One of the legal members of the Review Tribunal shall be appointed by the^{F36}Northern Ireland Judicial Appointments Commission] as chairman of the tribunal and another legal member shall be so appointed as deputy chairman.

F36 Words in Sch. 3 para. 3 substituted (12.4.2010) by Northern Ireland Act 2009 (c. 3), ss. 2(3), 5(7), Sch. 4 para. 20(3) (with Sch. 5 para. 16); S.I. 2010/812, art. 2

4.—(1) Subject to sub-paragraph (2) [^{F37}and paragraph 7] and to rules made by the Lord Chancellor under Article 83(2)(b), the Review Tribunal when sitting for the purposes of any proceedings^{F38}... shall consist of a legal member, a medical member and a member who is neither a legal nor a medical member.

(2) If the chairman of the tribunal, either in a particular case or class of case or generally, so directs the Review Tribunal—

- (a) may, for the purposes of any proceedings, consist of one or more other members in addition to those referred to in sub-paragraph (1);
- (b) may, for the purposes of any proceedings which are of a preliminary, incidental or interlocutory nature, consist of one member.

F37 Words in Sch. 3 para. 4(1) inserted (2.12.2019) by Mental Capacity Act (Northern Ireland) 2016 (c. 18), s. 307(2), Sch. 8 para. 71(3)(a) (with ss. 285-287); S.R. 2019/163, art. 2(2), Sch. Pt. 2 (with art. 3) (as amended by S.R. 2019/190, art. 2)

F38 Words in Sch. 3 para. 4(1) repealed (2.12.2019) by Mental Capacity Act (Northern Ireland) 2016 (c. 18), s. 307(2), Sch. 8 para. 71(3)(b), Sch. 11 (with ss. 285-287); S.R. 2019/163, art. 2(2), Sch. Pt. 2 (with art. 3) (as amended by S.R. 2019/190, art. 2)

5. The chairman of the Review Tribunal shall appoint the members who are to constitute the tribunal for the purpose of any proceedings^{F39}....

F39 Words in Sch. 3 para. 5 repealed (2.12.2019) by Mental Capacity Act (Northern Ireland) 2016 (c. 18), s. 307(2), Sch. 8 para. 71(4), Sch. 11 (with ss. 285-287); S.R. 2019/163, art. 2(2), Sch. Pt. 2 (with art. 3) (as amended by S.R. 2019/190, art. 2)

6. Subject to any rules made by the Lord Chancellor under Article 83(4), where the chairman of the tribunal is included among the persons appointed under paragraph 5, he shall be president of the tribunal; and in any other case the president of the tribunal shall be such one of the members so appointed (being one of the legal members) as the chairman may nominate.

[^{F40}In any proceedings which are to be heard and determined by the Review Tribunal constituted as mentioned in paragraph 4(1) or (2)(a), the proceedings may with the consent of the parties be heard and determined in the absence of any one member other than the president, and in that event the tribunal is to be treated as properly constituted.]

F40 Sch. 3 para. 7 inserted (2.12.2019) by Mental Capacity Act (Northern Ireland) 2016 (c. 18), s. 307(2), Sch. 8 para. 71(5) (with ss. 285-287); S.R. 2019/163, art. 2(2), Sch. Pt. 2 (with art. 3) (as amended by S.R. 2019/190, art. 2)

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F41F41 SCHEDULE 4

.....

F41 Sch. 4 repealed (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 33, 34(3), Sch. 6 para. 8(5), Sch. 7; S.R. 2009/114, art. 2

Schedule 5—Amendments

SCHEDULE 6

Article 137.

TRANSITIONAL PROVISIONS

1. Where, apart from this paragraph, anything done under or for the purposes of any statutory provision which is repealed by this Order would cease to have effect by virtue of that repeal it shall have effect as if it had been done under or for the purposes of the corresponding provision of this Order.

2. Where any period of time specified in any statutory provision repealed by this Order is current at the appointed day, this Order shall have effect as if the corresponding provision of this Order had been in force when that period began to run.

3.—(1) This paragraph applies where immediately before the appointed day an application for the admission of a patient to hospital has been duly completed in accordance with Part II of the 1961 Act but the patient has not been admitted to hospital.

(2) The patient may be admitted to hospital in pursuance of the application and section 17(1) of the 1961 Act shall continue to apply in relation to the patient.

(3) Where at any time within the period referred to in section 17(1)(a) of the 1961 Act the patient is admitted to a hospital pursuant to an application other than an emergency application, he shall be treated for the purposes of this Order as if he had been admitted to the hospital pursuant to an application for assessment made at that time in accordance with Part II of this Order.

(4) Where at any time within the period referred to in section 17(1)(b) of the 1961 Act the patient is admitted to a hospital pursuant to an emergency application under section 15 of the 1961 Act, he may be detained in hospital for a period not exceeding 7 days beginning with the day on which he was admitted but shall not be detained thereafter unless before the expiration of that period an application for assessment is made in respect of him under Part II of this Order.

(5) References in this paragraph to a person being admitted to hospital include references to him being treated as if admitted to hospital.

4.—(1) This paragraph applies where immediately before the appointed day a patient is detained in hospital under section 16(2) of the 1961 Act.

(2) The patient may be detained in hospital for a period not exceeding 3 days beginning with the day on which he was first detained under section 16(2), but shall not be detained thereafter unless before the expiration of that period an application for assessment is made in respect of him under Part II of this Order.

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5.—(1) This paragraph applies where immediately before the appointed day a patient is detained in hospital in pursuance of an application for admission under section 12 of the 1961 Act but a report under section 19 of that Act has not been made in respect of him.

(2) The patient may be detained in hospital for a period not exceeding 21 days beginning with the day on which he was admitted to hospital.

(3) This Order (except Articles 4 to 11) shall apply to the patient as if for the reference in Article 12(1) to the period for which a patient is detained for assessment by virtue of Article 9(8) there were substituted a reference to the period for which the patient is detained by virtue of sub-paragraph (2).

6.—(1) This paragraph applies where immediately before the appointed day a patient is detained in hospital in pursuance of an application for admission under section 12 of the 1961 Act and a report under section 19 of that Act has been made in respect of him.

(2) The patient may be detained in hospital for a period not exceeding 6 months beginning with the day on which he was admitted to hospital, but shall not be so detained for any longer period unless the authority for his detention is renewed under Article 13 as applied by sub-paragraph (3).

(3) This Order (except Articles 4 to 11) shall apply to the patient as if he were detained for treatment and as if for the reference in Article 13(1)(a) and the first reference in Article 13(2) to Article 12(1) there were substituted references to sub-paragraph (2).

7.—(1) This paragraph applies where immediately before the appointed day a patient is detained in hospital and the authority for his detention has been renewed under section 32 of the 1961 Act for a further period of one year which has not expired.

(2) The patient may be detained in hospital for so much of the period of one year as has not expired, but shall not be so detained for any longer period unless the authority for his detention is renewed under Article 13 as applied by sub-paragraph (3).

(3) This Order (except Articles 4 to 11) shall apply to the patient as if he were detained for treatment and as if—

- (a) in Article 13(1)(b) for the reference to sub-paragraph (a) and in Article 13(3) for the reference to paragraph (2) there were substituted a reference to section 32 of the 1961 Act;
- (b) in Article 13(4)(c) for the references to the application for assessment and any medical report in relation to the patient there shall be substituted references, respectively, to the application for admission and the medical report under section 19 of the 1961 Act in relation to the patient.

8.—(1) This paragraph applies where immediately before the appointed day a patient is detained in hospital and the authority for his detention has been renewed under section 32 of the 1961 Act for a further period of two years which has not expired.

(2) The patient may be detained in hospital—

- (a) if on the appointed day one year or more of the period of two years has expired, for so much of the period of two years as has not expired;
- (b) if on the appointed day less than one year of the period of two years has expired, for a period of one year from the date on which the authority was last renewed,

but shall not be so detained for any longer period unless the authority for his detention is renewed under Article 13 as applied by sub-paragraph (3).

(3) This Order (excluding Articles 4 to 11) shall apply to the patient as if he were detained for treatment and as if in Article 13(1)(c) for the reference to sub-paragraph (b) and in Article 13(5) for the reference to paragraph (3) there were substituted a reference to section 32 of the 1961 Act.

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9. Where on the appointed day a person who has not attained the age of 16 years is subject to guardianship, the authority for his guardianship shall terminate on that day.

10.—(1) This paragraph applies where immediately before the appointed day a patient is subject to guardianship in pursuance of a guardianship application under section 21 of the 1961 Act.

(2) Subject to the following provisions of this paragraph, this Order shall apply to the patient as if he were subject to guardianship in pursuance of a guardianship application duly made in accordance with Part II and accepted by the responsible Board on the date on which the guardianship application in relation to him was accepted under section 22 of the 1961 Act.

(3) Where the authority for the guardianship of the patient has been renewed under section 32 of the 1961 Act for a further period of one year which has not expired on the appointed day, the patient may be kept under guardianship for so much of the period of one year as has not expired but shall not be so kept for any longer period unless the authority for his guardianship is renewed for a further period of one year under Article 23, as applied by sub-paragraph (2).

(4) Where the authority for the guardianship of the patient has been renewed under section 32 of the 1961 Act for a further period of two years which has not expired on the appointed day, the patient may be kept under guardianship—

- (a) if on the appointed day one year or more of the period of two years has expired, for so much of the period of two years as has not expired;
- (b) if on the appointed day less than one year of the period of two years has expired, for a period of one year from the date on which the authority was last renewed,

but shall not be so kept for any longer period unless the authority for his guardianship is renewed for a further period of one year under Article 23, as applied by sub-paragraph (2).

(5) Where the Board named as guardian in the guardianship application is not the responsible Board references in this Order to the responsible Board shall be construed as references to the Board so named.

11. Sections 20 and 22(5) of the 1961 Act shall continue to apply in relation to any application made or recommendation or report given before the appointed day.

12. In the case of a patient who is detained or subject to guardianship on the appointed day, the steps required by Article 27 shall be taken as soon as practicable after that day.

13. Where at any time before the appointed day an application to the Review Tribunal has been made by a person who at that time was the patient's nearest relative and the application has not then been determined and by reason of the coming into force of Article 32 that person ceased to be the patient's nearest relative on that day, that person shall nevertheless be treated for the purposes of the application as continuing to be his nearest relative.

14.—(1) Subject to sub-paragraphs (2) and (3), this Order applies to a patient who immediately before the appointed day is, or is treated as if he were, subject to—

- (a) a hospital order;
- (b) a guardianship order;
- (c) an order restricting discharge;
- (d) a transfer direction;
- (e) a direction restricting discharge; or
- (f) an order or direction having the like effect as any of the above,

made or given under any provision of the 1961 Act as if that order or direction had been made or given under the corresponding provision of this Order.

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- (2) Where immediately before the appointed day—
- (a) a patient is subject to a hospital order, guardianship order or transfer direction made or given under the 1961 Act;
 - (b) the authority for his detention or guardianship has been renewed under section 32 of that Act for a further period of two years which has not expired; and
 - (c) less than one year of that period has expired,

the authority for his detention or guardianship under this Order shall expire at the end of the period of one year from the date on which it was last renewed under section 32.

(3) Where apart from this paragraph a transfer direction given before the appointed day would by virtue of Article 56(3) have ceased to have effect before that date it shall cease to have effect on the appointed day.

15.—(1) Paragraph (3) of Article 64 shall not apply to any treatment given to a patient in the period of six months beginning with the appointed day if—

- (a) the detention of the patient began before the beginning of that period; and
- (b) that paragraph has not been complied with in respect of any treatment previously given to him in that period.

(2) The Department may by order reduce the length of the period mentioned in sub-paragraph (1).

16. A patient—

- (a) who was admitted to hospital in pursuance of an application for admission; or
- (b) in respect of whom a guardianship application was accepted; or
- (c) in respect of whom a hospital order was made,

before the appointed day may make an application to the Review Tribunal within the period of six months beginning with the day on which he attains the age of 16 years if that period is later than that which would otherwise apply to an application in his case.

17. Article 73 applies only in relation to a renewal of authority for detention after the appointed day.

18. Any reference to the Review Tribunal under section 54(6) of the 1961 Act in respect of a patient shall be treated for the purposes of Article 82(2) as an application made by him.

19. ^{F44}

F44 Sch. 6 para. 19 repealed (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(2), 146, 148(1), Sch. 5 para. 76, Sch. 18 Pt. 3; S.I. 2006/1014, art. 2(a), Sch. 1 paras. 10, 12(a), 29, 30(c)

20. The responsible Board shall as soon as practicable after the appointed day send to [^{F45}RQIA] a copy of any application, recommendation or report held by it which relates to the authority for the detention of any patient referred to in paragraph 5, 6, 7 or 8 or relates to the authority for the guardianship of any patient referred to in paragraph 10.

F45 Words in Order substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), Sch. 6 para. 8(1) (subject to Sch. 6 para. 8(2)-(4)); S.R. 2009/114, art. 2

21. Where immediately before the appointed day any person's estate was subject to the jurisdiction of the High Court under the Lunacy Regulation (Ireland) Act 1871, Part VIII shall apply in that person's case as if it had been determined that he was a patient within the meaning of Part VIII.

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22. Any order or appointment made, direction or authority given, or thing done under the Lunacy Regulation (Ireland) Act 1871 which—

- (a) had effect immediately before the appointed day with respect to the property or affairs of a person; and
- (b) was such as could have been made, given or done under any provision of Part VIII if that provision had been in force at the material time,

shall continue to have effect as if made, given or done under that provision.

23. Any person who immediately before the appointed day was the committee of the estate of a person shall be deemed to be the controller for that person appointed under Article 101 with such functions in relation to that person's property and affairs as were exercisable by him in relation thereto as committee of the estate and references in any document to such a committee shall be construed accordingly.

24. Any person who immediately before the appointed day was the committee of the person in relation to any person shall cease to be the committee of the person in relation to that person.

25. Article 103(1) shall apply in relation to any disposal of property (within the meaning of that Article) of a person living immediately before the appointed day being a disposal effected under the Lunacy Regulation (Ireland) Act 1871, as it applies in relation to the disposal of the property of a person effected under Part VIII.

26. Until the coming into operation of Article 115 for references in this Order and any other statutory provision to an approved social worker there shall be substituted references to an officer of a Board designated by it, with the approval of the Department, to act as social worker for the purposes of this Order.

27. References to applications, recommendations, reports and other documents in Article 119 shall include those to which section 98 of the 1961 Act applied immediately before the appointed day.

28. References in Article 133 to the acts to which that Article applies shall include those to which section 111 of the 1961 Act applied immediately before the appointed day.

29. Article 134(5) shall not apply in relation to a patient removed from Northern Ireland before the appointed day.

30. The chairman, deputy chairman and other members of the Review Tribunal appointed under Schedule 3 to the 1961 Act and holding office immediately before the appointed day shall continue to hold such offices as if appointed under Schedule 3 to this Order on the same terms as they held office immediately before that day.

Para. 31 rep. by 1987 NI 2

32. The Department may by order subject to negative resolution make such other transitional provision as appears to the Department to be necessary or expedient in connection with the coming into operation of any provision of this Order.

33. In this Schedule—

“the 1961 Act” means the Mental Health Act (Northern Ireland) 1961;

“the appointed day” in relation to any provision of this Schedule means the date appointed under Article 1(2) for the coming into operation of that provision.

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Schedule 7—Repeals

Changes to legislation:

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Changes and effects yet to be applied to :

- art. 77 heading words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 44(2)Sch. 11
- Pt 3 repealed by 2016 c. 18 (N.I.) Sch. 8 para. 27Sch. 11
- Pt. 8 repealed by 2016 c. 18 (N.I.) Sch. 8 para. 54Sch. 11
- Pt. 2 heading words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 5
- art. 40 heading words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 25(a)Sch. 11
- art. 27 italic heading words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 12Sch. 11
- Pt. 4 heading words inserted by 2016 c. 18 (N.I.) Sch. 8 para. 28
- Pt. 6 repealed by 2016 c. 18 (N.I.) Sch. 8 para. 50Sch. 11
- Sch. 2 repealed by 2016 c. 18 (N.I.) Sch. 8 para. 69Sch. 11
- Sch. 2A repealed by 2016 c. 18 (N.I.) Sch. 8 para. 70Sch. 11
- art. 2(2) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 3(4)Sch. 11
- art. 2(2) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 3(5)Sch.
- art. 2(2) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 3(6)Sch. 11
- art. 2(2) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 3(7)Sch. 11
- art. 2(2) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 3(8)
- art. 2(2A) word inserted by 2016 c. 18 (N.I.) Sch. 8 para. 3(10)(a)
- art. 2(2A) word repealed by 2016 c. 18 (N.I.) Sch. 8 para. 3(10)(b)Sch. 11
- art. 2(3) repealed by 2016 c. 18 (N.I.) Sch. 8 para. 3(11)Sch. 11
- art. 4(1) words inserted by 2016 c. 18 (N.I.) Sch. 8 para. 6(2)
- art. 4(2) words inserted by 2016 c. 18 (N.I.) Sch. 8 para. 6(3)
- art. 8(3) repealed by 2016 c. 18 (N.I.) Sch. 8 para. 7Sch. 11
- art. 12(3) repealed by 2016 c. 18 (N.I.) Sch. 8 para. 8Sch. 11
- art. 13(1) words inserted by 2016 c. 18 (N.I.) Sch. 8 para. 9
- art. 18-26 repealed by 2016 c. 18 (N.I.) Sch. 8 para. 11Sch. 11
- art. 27(1) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 13(2)(a)Sch. 11
- art. 27(1) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 13(2)(c)Sch. 11
- art. 27(1)(b) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 13(2)(b)Sch. 11
- art. 27(2) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 13(3)(a)
- art. 27(2)(a)(i) word repealed by 2016 c. 18 (N.I.) Sch. 8 para. 13(3)(b)Sch. 11
- art. 27(2)(a)(i) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 13(3)(c)
- art. 27(4) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 13(4)(a)Sch. 11
- art. 27(4) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 13(4)(c)Sch. 11
- art. 27(4) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 13(4)(b)
- art. 28(5)-(7) repealed by 2016 c. 18 (N.I.) Sch. 8 para. 14(a)Sch. 11
- art. 28(9) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 14(b)Sch. 11
- art. 29(2) repealed by 2016 c. 18 (N.I.) Sch. 8 para. 15(a)Sch. 11
- art. 29(3) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 15(b)Sch. 11
- art. 30(1) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 16(2)(a)Sch. 11
- art. 30(1) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 16(2)(b)Sch. 11
- art. 30(2) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 16(3)(a)Sch. 11
- art. 30(2) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 16(3)(b)
- art. 30(3) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 16(4)Sch. 11
- art. 31(1) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 17(2)(a)Sch. 11
- art. 31(1) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 17(2)(b)Sch. 11
- art. 31(2) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 17(3)(a)Sch. 11
- art. 31(2) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 17(3)(b)Sch. 11
- art. 32(3) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 18Sch. 11
- art. 33 words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 19Sch. 11
- art. 34(1) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 20(2)(a)
- art. 34(1) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 20(2)(b)

- art. 34(3) repealed by 2016 c. 18 (N.I.) Sch. 8 para. 20(3)Sch. 11
- art. 34(3) words inserted by 2022 c. 18 (N.I.) Sch. 3 para. 6
- art. 35(1) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 21Sch. 11
- art. 36(1) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 22(2)
- art. 36(3)(c) word repealed by 2016 c. 18 (N.I.) Sch. 8 para. 22(4)(b)Sch. 11
- art. 36(3)(c) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 22(4)(a)Sch. 11
- art. 36(3)(d) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 22(4)(c)Sch. 11
- art. 36(4) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 22(5)
- art. 37(1)(b) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 23(2)(b)
- art. 37(2) words inserted by 2016 c. 18 (N.I.) Sch. 8 para. 23(4)(a)
- art. 37(2) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 23(4)(b)
- art. 37(4) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 23(5)(a)Sch. 11
- art. 37(4) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 23(5)(b)Sch. 11
- art. 39(3) repealed by 2016 c. 18 (N.I.) Sch. 8 para. 24Sch. 11
- art. 40(1) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 25(b)Sch. 11
- art. 40(2) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 25(c)Sch. 11
- art. 40(5) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 25(d)Sch. 11
- art. 41 repealed by 2016 c. 18 (N.I.) Sch. 8 para. 26Sch. 11
- art. 62 substituted by 2016 c. 18 (N.I.) Sch. 8 para. 29
- art. 63(2) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 30(2)
- art. 63(3) substituted by 2016 c. 18 (N.I.) Sch. 8 para. 30(3)
- art. 64(1)(b) words inserted by 2016 c. 18 (N.I.) Sch. 8 para. 32
- art. 65 words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 33(a)
- art. 65 words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 33(b)
- art. 66(1) words inserted by 2016 c. 18 (N.I.) Sch. 8 para. 34
- art. 67(1) words inserted by 2016 c. 18 (N.I.) Sch. 8 para. 35(2)
- art. 67(2) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 35(3)(a)
- art. 67(2)(b) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 35(3)(b)
- art. 67(3) words inserted by 2016 c. 18 (N.I.) Sch. 8 para. 35(5)(a)
- art. 67(3) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 35(5)(b)
- art. 68(1) word substituted by 2016 c. 18 (N.I.) Sch. 8 para. 36(2)
- art. 68(2) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 36(3)
- art. 69 word inserted by 2016 c. 18 (N.I.) Sch. 8 para. 37
- art. 71(2) repealed by 2016 c. 18 (N.I.) Sch. 8 para. 40(2)Sch. 11
- art. 71(3) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 40(3)Sch. 11
- art. 71(4) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 40(4)(b)
- art. 71(4)(b) repealed by 2016 c. 18 (N.I.) Sch. 8 para. 40(4)(a)Sch. 11
- art. 71(5) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 40(5)Sch. 11
- art. 72(1) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 41Sch. 11
- art. 73(1) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 42(2)(a)Sch. 11
- art. 73(1) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 42(2)(b)Sch. 11
- art. 73(1) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 42(2)(c)
- art. 73(3) word substituted by 2016 c. 18 (N.I.) Sch. 8 para. 42(3)
- art. 74-76 repealed by 2016 c. 18 (N.I.) Sch. 8 para. 43Sch. 11
- art. 77(3) repealed by 2016 c. 18 (N.I.) Sch. 8 para. 44(3)Sch. 11
- art. 77(4) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 44(4)
- art. 77(5) repealed by 2016 c. 18 (N.I.) Sch. 8 para. 44(5)Sch. 11
- art. 78-80 repealed by 2016 c. 18 (N.I.) Sch. 8 para. 45Sch. 11
- art. 81 words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 46Sch. 11
- art. 83(4) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 48(3)(a)
- art. 83(4) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 48(3)(b)
- art. 84 repealed by 2016 c. 18 (N.I.) Sch. 8 para. 49Sch. 11
- art. 90(1) repealed by 2016 c. 18 (N.I.) Sch. 8 para. 51Sch. 11
- art. 91-94 repealed by 2016 c. 18 (N.I.) Sch. 8 para. 51Sch. 11
- art. 96 repealed by 2016 c. 18 (N.I.) Sch. 8 para. 53Sch. 11
- art. 111(1)(a) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 55(a)Sch. 11
- art. 111(1)(b) words inserted by 2016 c. 18 (N.I.) Sch. 8 para. 55(b)
- art. 113(1)(c) repealed by 2016 c. 18 (N.I.) Sch. 8 para. 56Sch. 11

- art. 116(1) words inserted by 2016 c. 18 (N.I.) Sch. 8 para. 57(2)
- art. 116(5) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 57(3)
- art. 118(1) words inserted by 2016 c. 18 (N.I.) Sch. 8 para. 58(2)(a)
- art. 118(1)(a) repealed by 2016 c. 18 (N.I.) Sch. 8 para. 58(2)(a)Sch. 11
- art. 118(2) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 58(3)
- art. 118(3) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 58(4)
- art. 120(1) words inserted by 2016 c. 18 (N.I.) Sch. 8 para. 59(2)
- art. 120(2) words inserted by 2016 c. 18 (N.I.) Sch. 8 para. 59(3)
- art. 121(1)(a) words inserted by 2016 c. 18 (N.I.) Sch. 8 para. 60(2)(a)
- art. 121(1)(b) words inserted by 2016 c. 18 (N.I.) Sch. 8 para. 60(2)(b)
- art. 121(2) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 60(3)
- art. 124(1)(a) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 61Sch. 11
- art. 127(2) repealed by 2016 c. 18 (N.I.) Sch. 8 para. 62Sch. 11
- art. 128 repealed by 2016 c. 18 (N.I.) Sch. 8 para. 63Sch. 11
- art. 129(1) words inserted by 2016 c. 18 (N.I.) Sch. 8 para. 64(2)(a)
- art. 129(1) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 64(2)(b)
- art. 129(3) repealed by 2016 c. 18 (N.I.) Sch. 8 para. 64(3)
- art. 129(5) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 64(4)
- art. 129(7) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 64(5)(b)
- art. 129(7) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 64(5)(a)
- art. 130 repealed by 2016 c. 18 (N.I.) Sch. 8 para. 65Sch. 11
- art. 131(1) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 66
- art. 132(1)(b) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 67(2)Sch. 11
- art. 132(2) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 67(3)(a)Sch. 11
- art. 132(2) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 67(3)(b)
- art. 132(3) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 67(4)(a)Sch. 11
- art. 132(3) words repealed by 2016 c. 18 (N.I.) Sch. 8 para. 67(4)(b)
- art. 132(4) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 67(5)
- art. 132(6) repealed by 2016 c. 18 (N.I.) Sch. 8 para. 67(6)Sch. 11
- art. 133(1) repealed by 2016 c. 18 (N.I.) Sch. 8 para. 68(2)Sch. 11
- art. 133(2) words substituted by 2016 c. 18 (N.I.) Sch. 8 para. 68(3)

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

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

- Sch. 5 Pt. 2 repealed in part by S.I. 2003/435 (N.I.) Sch. 5 (text not available on Legislation.gov.uk)
- Sch.05 Pt. 1 rev. in pt. by 1995 c. 35 s. 29(2)Sch. 3
- Sch. 5 Pt. 2 rev. in pt. by 1998 c. 47 s. 100(2)Sch. 15
- art. 14A inserted by 2016 c. 18 (N.I.) Sch. 8 para. 10
- art. 36(2)(za) inserted by 2016 c. 18 (N.I.) Sch. 8 para. 22(3)
- art. 36(3)(e) and word inserted by 2016 c. 18 (N.I.) Sch. 8 para. 22(4)(d)
- art. 37(1)(za) inserted by 2016 c. 18 (N.I.) Sch. 8 para. 23(2)(a)
- art. 37(1A) inserted by 2016 c. 18 (N.I.) Sch. 8 para. 23(3)
- art. 52 rev. by 1996 c. 46 s. 35(2)Sch.7 Pt. 3
- art.52 rev. (DrosD,) by 1996 c. 46 s. 35(2)Sch.7 Pt.III
- art. 63A63B inserted by 2016 c. 18 (N.I.) Sch. 8 para. 31
- art. 67(2A) inserted by 2016 c. 18 (N.I.) Sch. 8 para. 35(4)
- art. 83(4A) inserted by 2016 c. 18 (N.I.) Sch. 8 para. 48(4)
- art. 120(4) inserted by 2016 c. 18 (N.I.) Sch. 8 para. 59(4)
- art. 133(2A) inserted by 2016 c. 18 (N.I.) Sch. 8 para. 68(4)