

[^{F1}SCHEDULE

F1 Sch. substituted (27.9.2019) by [The Mental Capacity \(2016 Act\) \(Commencement No. 1\) \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/190\)](#), **art. 2(3)**

PART 4

Provisions coming into operation on 2nd December 2019 in so far as it relates to an act that is a deprivation of liberty

<i>Provisions of the Act</i>	<i>Subject Matter</i>
Section 9(1) to (3)	Protection from liability - general
Section 9(4)(b)	Protection from liability – additional safeguards
In section 9(4)(d) “sections” and “24,26”	Protection from liability – additional safeguards
Section 9(5) and (6)	Protection from liability – help and support and parents
Section 10(1)	Limitations of section 9
Sections 13 to 15	Additional safeguards – formal assessment of capacity and nominated persons
Section 24	Deprivation of liberty – additional safeguards
Section 25 and Schedule 1 paragraphs 1, 2(1), 2(2)(b), 2(3), 2(4)(b), 3, 5 to 8, 10, 13 to 16, 19, 20 and 22 to 27 and Schedule 2	Deprivation of liberty – additional safeguards
Sections 26 and 27	Deprivation of liberty – additional safeguards
Sections 37 to 39	Extensions of authorisation
Section 40 and Schedule 3 paragraphs 1, 2(1), 2(2), 2(3)(a), 3 to 9	Extension of authorisation
Section 41(1), (2)(b), (3) and (4)	Extensions of authorisation
Section 42	Extensions of authorisation
Section 43(1) to (6) and (7)(a)	Extensions of authorisation
Section 44	Extensions of authorisation
Section 45(1) to (3)	Review Tribunal applications
Section 45(4) but omitting “section 29(4) or 32(4) or”	Review Tribunal applications
Sections 46 to 48	Review Tribunal applications
Section 50(1)(a), (b) but omitting “or (d)”, (c), (2) and (3)	References to the Tribunal
Section 51(1) to (3), (4)(b) and (5)	Review Tribunal powers
Sections 52 and 53	Review Tribunal powers

<i>Provisions of the Act</i>	<i>Subject Matter</i>
Section 54	Medical reports and nominated person
Section 56(1), (2)(a), (3) and (4)	Medical reports and emergency situations
Sections 57 to 59	Provisions of information and other supplementary provisions
Section 60(1) and (2)(d)	Acts where Part 2 is not applicable
Sections 61 and 62	Power to make further provisions and disregard
Section 63(2)(a)	Protection from liability – definition of serious intervention
Section 64	Protection from liability – definition of serious intervention
Section 65(1) but omitting “16” to “20” and “28 and 35”, (2) to (5)	Emergency provisions
Section 66(1)(a), (b), (d) but omitting “19,20” and “28”, (2) to (6)	Emergency provisions – definitions etc
Sections 67 to 68	Failure by person other than D to take steps to ensure safeguards are met and interpretations of Part 2
Sections 69 to 79	Nominated persons provisions
Section 80(1) to (4), (5)(a) to (c), (f) and (g), (6) and (7)	Nominated persons provisions
Sections 81 to 85	Nominated persons provisions
Section 267(1), (2)(a), (3) and (4)	Offence of ill-treatment and neglect
Section 268(1), (2), (3)(a), (c), (d), (4), (5)	Offence of forgery, false statement, etc
Section 270	Offence of assisting a person to absent themselves
Section 272(1) to (3), (4)(b) until “48” and (c) but omitting “or 126”	Offences of obstruction
Section 273	Offences by bodies corporate
Section 275	Review Tribunal
Section 280	Approved social workers
Section 281	Miscellaneous functions of HSC trusts
Section 288(1)(a) to (c), (e) and (i), (2) to (8)	Code of Practice
Section 289(1), (2)(a), (b), (3) and (4)	Code of Practice
Sections 290(1) and (2)(a), (c) and (d) and 291(1) and (2)(a) and (c) and (3)	Provision of information and facilities
Section 292	Warrants
Section 296	Special accommodation
Section 297	Trust panels

<i>Provisions of the Act</i>	<i>Subject Matter</i>
Section 299	Risk of serious physical harm to others
Section 300(1)(a) and (c) to (e), and (2) to (4)	Medical practitioners who can make medical reports
Section 301	Documents appearing to be duly made]

Changes to legislation:

There are currently no known outstanding effects for the The Mental Capacity (2016 Act) (Commencement No. 1) Order (Northern Ireland) 2019, PART 4.