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**Changes to legislation:** *Constitutional Reform Act 2005, Cross Heading: Mental Health (Northern Ireland) Order 1986 (S.I. 1986/595 (N.I. 4)) is up to date with all changes known to be in force on or before 23 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*

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## SCHEDULES

### SCHEDULE 5

#### FUNCTIONS UNDER LEGISLATION RELATING TO NORTHERN IRELAND

##### PART 1

##### AMENDMENTS

*Mental Health (Northern Ireland) Order 1986 (S.I. 1986/595 (N.I. 4))*

- 73 The Mental Health (Northern Ireland) Order 1986 is amended as follows.
- 74 (1) Article 83 (procedure of tribunal) is amended as follows.
- (2) In paragraph (1) after “Lord Chancellor may” insert “, after consultation with the Lord Chief Justice, ”.
- (3) After paragraph (1) insert—
- “(1A) The Lord Chief Justice may nominate any of the following to exercise his functions under paragraph (1)—
- (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).”
- 75 (1) Schedule 3 (Mental Health Review Tribunal for Northern Ireland) is amended as follows.
- (2) In paragraph 1—
- (a) in sub-paragraph (a) after “suitable” insert “ after consultation with the Lord Chief Justice ”;
- (b) In sub-paragraph (b) and (c) omit “after consultation with the Head of the Department”.
- (3) After paragraph 1 insert—
- “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.”
- 76 In Schedule 6 to the Mental Health (Northern Ireland) Order 1986 (transitional provisions), omit paragraph 19.

**Changes to legislation:**

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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. 132(4A) words substituted by [2015 c. 2 s. 83\(1\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(2\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(3\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(4\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(6\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(8\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(9\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(10\)\(a\)](#)
- Sch. 7 para. 4Pt. A words substituted by [2007 c. 15 s. 144\(10\)\(b\)](#)