
Status: This version of this schedule contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, SCHEDULE 11. (See end of Document for details)

SCHEDULES

SCHEDULE 11

Section 10

MENTAL CAPACITY: NORTHERN IRELAND

PART 1

INTRODUCTORY PROVISION ETC

Interpretation

- 1 (1) In this Schedule, “the 2016 Act” means the Mental Capacity Act (Northern Ireland) 2016 (c. 18 (N.I.)).
- (2) In this Schedule—
- (a) references to sections are to sections of the 2016 Act;
 - (b) references to Schedules are to Schedules to that Act.
- (3) Expressions used in this Schedule and in the 2016 Act have the meaning given in that Act.

Commencement Information

I1 Sch. 11 para. 1 in force at 2.4.2020 by [S.R. 2020/58](#), [art. 2\(d\)](#)

Prescribed forms

- 2 Where any form prescribed for use in connection with a provision of the 2016 Act is inconsistent with a modification made by Part 2 of this Schedule, the form—
- (a) may, in connection with the provision as so modified, be used with appropriate amendments,
 - (b) is otherwise, for use in that connection, to be read with such amendments as are necessary to reflect the modification.

Commencement Information

I2 Sch. 11 para. 2 in force at 2.4.2020 by [S.R. 2020/58](#), [art. 2\(d\)](#)

*Status: This version of this schedule contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, SCHEDULE 11. (See end of Document for details)*

^{F1}PART 2

MODIFICATIONS OF THE MENTAL CAPACITY ACT (NORTHERN IRELAND) 2016

Textual Amendments

F1 Sch. 11 Pt. 2 expires (25.3.2022) by [Coronavirus Act 2020 \(c. 7\)](#), s. 89 (with s. 90)

Proceedings of panels constituted to decide applications

3

Time limit for panel's decisions regarding authorisations of certain serious interventions

4

Interim authorisations by panels of certain serious interventions

5

Report authorising short-term detention in hospital for examination etc

6

7

Consultation required before such a report is made

8

Extension by panel of period of authorisation

9

Additional notification requirements for panels

10

PROSPECTIVE

^{F1}Period of detention in place of safety

^{F1}11

PROSPECTIVE

^{F1}Periods of remand to hospital

^{F1}12

Status: This version of this schedule contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, SCHEDULE 11. (See end of Document for details)

PROSPECTIVE

*^{F1}Required medical evidence for court to be satisfied
treatment condition is met in relation to remand to hospital*

^{F1}13

PROSPECTIVE

*^{F1}Required medical evidence for public protection orders,
interim detention orders, determinations of question of fitness
to be tried or findings of not guilty on ground of insanity*

^{F1}14

PROSPECTIVE

^{F1}Required medical evidence for hospital directions

^{F1}15

PROSPECTIVE

^{F1}Extension reports in relation to public protection orders without restrictions

^{F1}16

PROSPECTIVE

^{F1}Required medical evidence for directions for the transfer of prisoners etc to hospital

^{F1}17

PROSPECTIVE

^{F1}Admission of person subject to hospital transfer direction to hospital

^{F1}18

Code of practice

19

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

Changes to legislation: There are currently no known outstanding effects for the Coronavirus Act 2020, SCHEDULE 11. (See end of Document for details)

PART 3

TRANSITIONAL PROVISION

- 20 Paragraph 5, 9, 11 or 18 continues to apply after the end of any period for which it has effect for the purposes of determining the length of any period which has begun before the end of that period.

Commencement Information

- I3** Sch. 11 para. 20 in force at 2.4.2020 for specified purposes by [S.R. 2020/58](#), **art. 2(f)**

PROSPECTIVE

- 21 Where, by virtue of paragraph 12 an accused person has been remanded under section 162 for more than 12 weeks in total, the person may not be further remanded under that provision after the end of any period for which that paragraph has effect.

PART 4

REVIEW OF OPERATION OF CERTAIN PROVISIONS OF THIS SCHEDULE

- 22 (1) Each HSC trust must maintain a record of each instance where a panel operates in reliance on paragraph 5 or 9.
- (2) The HSC trust must prepare a report containing an evaluation by it of each such instance and its opinion as to whether the reliance on paragraph 5 or 9 was appropriate.
- (3) The HSC trust must send the report under sub-paragraph (2) to the Department of Health in Northern Ireland no later than 3 months after the end of a period for which the paragraph of this Schedule in question has effect.

Commencement Information

- I4** Sch. 11 para. 22 in force at 2.4.2020 by [S.R. 2020/58](#), **art. 2(g)**

Status:

This version of this schedule contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the Coronavirus Act 2020, SCHEDULE 11.