

*These notes refer to the Mental Capacity Act (Northern Ireland)
2016 (c.18) which received Royal Assent on 9 May 2016*

Mental Capacity Act (Northern Ireland) 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 7 – Public Guardian and Court Visitors

Section 128 – Duty to notify the Public Guardian

This section imposes a duty upon relevant authorities to notify the Public Guardian about a person with whom the authority is concerned in certain circumstances. These circumstances include that the person in question lacks capacity in relation to matter(s) concerning their care, treatment, personal welfare, or property and affairs. If the relevant authority also considers that any of the powers under section 113 ought to be exercised in respect to that matter or matters, and that arrangements have not been made and are not being made in this regard, then it must notify the Public Guardian.