

Status: This version of this cross heading contains provisions that are prospective.
Changes to legislation: *Mental Capacity Act (Northern Ireland) 2016, Cross Heading: Matters excluded from Act is up to date with all changes known to be in force on or before 25 March 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*



2016 CHAPTER 18

PART 14

MISCELLANEOUS

PROSPECTIVE

Matters excluded from Act

Family relationships etc

285.—(1) Nothing in this Act permits a decision on any of the following matters to be made on behalf of a person—

- (a) consenting to marriage or a civil partnership;
- (b) consenting to have sexual relations;
- (c) consenting to a decree of divorce or judicial separation being granted on the basis of two years' separation;
- (d) consenting to a dissolution order or separation order being made in relation to a civil partnership on the basis of two years' separation;
- (e) agreeing for any purposes of the Adoption (Northern Ireland) Order 1987 to the making of an adoption order;
- (f) discharging parental responsibilities in matters not relating to a child's property;
- (g) giving a consent under the Human Fertilisation and Embryology Act 1990;

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(h) giving a consent under the Human Fertilisation and Embryology Act 2008.

(2) In subsection (1)(e) “adoption order” means—

(a) an order under Article 12(1) of the Adoption (Northern Ireland) Order 1987; or

(b) any other order referred to by the definition of “adoption order” in Article 2(2) of that Order.

Voting rights

286.—(1) Nothing in this Act permits a decision on voting at an election for any public office, or at a referendum, to be made on behalf of a person.

(2) In this section “referendum” means a referendum or other poll held, in pursuance of any statutory provision, on one or more questions or propositions specified in or in accordance with any such provision.

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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. 285(2)(a)-(c) substituted for s. 285(2)(a)(b) by [2022 c. 18 \(N.I.\) Sch. 3 para. 77\(b\)](#)