

*Changes to legislation: Mental Capacity Act (Northern Ireland) 2016, Paragraph 4 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*

## SCHEDULES

### SCHEDULE 2

Authorisation of short-term detention in hospital for examination etc

#### Part 2

The authorisation

##### *Medical report*

4.—(1) The medical report included in a report under paragraph 2 must be in the prescribed form and must—

- (a) be made by a medical practitioner who is unconnected with P and is permitted by regulations under section 300 to make the report;
- (b) include a statement by the person making the medical report that in that person's opinion the criteria for authorisation are met; and
- (c) include any prescribed information.

(2) The maker of the medical report must have examined P not more than [<sup>F1</sup>two days][<sup>F1</sup>five days] before the date when the medical report is made.

(3) See also sections 54 and 55 (involvement of nominated person and independent mental capacity advocate).

#### Textual Amendments

- F1 Words in Sch. 2 para. 4(2) substituted (temp.) (2.4.2020) by virtue of [Coronavirus Act 2020 \(c. 7\)](#), s. 87(2), [Sch. 11 para. 6](#) (with ss. 88-90, [Sch. 11 para. 2](#)); [S.R. 2020/58](#), art. 2(e)

#### Modifications etc. (not altering text)

- C1 [Sch. 2 para. 4\(2\)](#) expiry of earlier affecting provision [2020 c. 7](#), [Sch. 11 paras. 3-9](#) (25.3.2022) by [Coronavirus Act 2020 \(c. 7\)](#), s. 89 (with s. 90)

#### Commencement Information

- I1 [Sch. 2 para. 4](#) in operation at 2.12.2019 for specified purposes by [S.R. 2019/163](#), art. 2(4), [Sch. Pt. 4](#) (with art. 3) (as amended by [S.R. 2019/190](#), art. 2)

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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\(b\)](#)