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*Changes to legislation: Mental Capacity Act (Northern Ireland) 2016, Cross Heading: Detention covered by authorisation is up to date with all changes known to be in force on or before 09 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 2

Authorisation of short-term detention in hospital for examination etc

#### Part 4

Supplementary provisions

*Detention covered by authorisation*

- 18.**—(1) This paragraph applies where a report is made under paragraph 2.
- (2) The authorisation granted by the making of the report authorises—
- (a) the detention (at any time when the authorisation is in force) of P in the hospital specified in the report for the purposes of examination, or of any treatment or care following examination;
  - (b) any related detention which may occur while the authorisation is in force.
- (3) In sub-paragraph (2) “related detention” means—
- (a) any detention of P while P is being taken to the hospital specified in the report;
  - (b) any detention of P while P is absent from the hospital, if the detention—
    - (i) is in pursuance of a condition imposed in accordance with section 27 (permission for absence from hospital); and
    - (ii) is for no longer than 7 days.
- (4) In sub-paragraphs (2) and (3) “detention” means detention in circumstances amounting to a deprivation of liberty.
- (5) Nothing in the authorisation or this paragraph affects the operation of this Part of this Act in relation to any detention of P in circumstances not amounting to a deprivation of liberty.

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#### Commencement Information

- II** [Sch. 2 para. 18](#) 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](#))

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