
Changes to legislation: Mental Capacity Act (Northern Ireland) 2016, Cross Heading: Time limit for panel's decision, and duty to notify decision is up to date with all changes known to be in force on or before 13 May 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 3

Extension by panel of period of authorisation

Time limit for panel's decision, and duty to notify decision

9.—(1) The panel must comply with paragraph 8(1) as soon as practicable and in any case no later than the end of the permitted period.

(2) The “permitted period” is the period of [^{F1}7 working days][^{F1}28 working days] beginning with the day on which the application is received by the trust (or, if that day is not a working day, beginning with the first working day after that).

(3) As soon as practicable after granting or refusing an extension under paragraph 8, the panel must give to P and any prescribed person—

- (a) written notice of the grant or refusal; and
- (b) any prescribed information.

(4) Regulations under sub-paragraph (3) must ensure that the Attorney General is given notice in any case where—

- (a) the panel extends the period of an authorisation;
- (b) the authorisation authorises a measure within section 41(2)(b) or (d) (deprivation of liberty or community residence requirement), and will do so after the end of the current period; and
- (c) the application under this Schedule contained the statement mentioned in paragraph 4(2) (statement that P lacks, or probably lacks, capacity in relation to making of Tribunal application).

Textual Amendments

- F1** Words in Sch. 3 para. 9(2) substituted (temp.) (2.4.2020) by virtue of [Coronavirus Act 2020](#) (c. 7), s. 87(2), [Sch. 11 para. 9](#) (with ss. 88-90, [Sch. 11 paras. 2, 20](#)); [S.R. 2020/58](#), art. 2(e)

Modifications etc. (not altering text)

- C1** [Sch. 3 para. 9\(2\)](#) 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](#))

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Commencement Information

- II** Sch. 3 para. 9 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\(b\)](#)