

Status: This version of this provision is prospective.

Changes to legislation: *Mental Capacity Act (Northern Ireland) 2016, Section 230 is up to date with all changes known to be in force on or before 13 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 10

CRIMINAL JUSTICE

CHAPTER 8

RIGHTS OF REVIEW OF DETENTION UNDER PART 10

Applications and references to Tribunal: general

PROSPECTIVE

Duty to notify the Attorney General

230.—(1) This section applies if—

- (a) immediately after the end of a relevant period, a person is—
 - (i) liable to be detained under a public protection order; or
 - (ii) liable to be detained in a hospital under a hospital direction or hospital transfer direction;
- (b) no application or reference to the Tribunal was made in the relevant period; and
- (c) the responsible medical practitioner is of the opinion that the person lacks (or probably lacks) capacity in relation to whether an application under section 225 (applications to Tribunal) should be made.

(2) The responsible medical practitioner must as soon as practicable give the Attorney General—

- (a) notice of the matters mentioned in subsection (1)(a) to (c); and

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(b) any prescribed information.

(3) The following are relevant periods for the purposes of this section—

(a) the period of 6 months beginning with the date of the order or direction;

(b) any period of 6 months immediately following another relevant period.

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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\(b\)](#)