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STATUTORY RULES OF NORTHERN IRELAND

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**2022 No. 299**

**MENTAL CAPACITY**

**The Mental Capacity (Research)(Amendment)  
Regulations (Northern Ireland) 2022**

*Made* - - - - *30th November 2022*

*Coming into operation* *21st December 2022*

The Department of Health<sup>(1)</sup>, in exercise of the powers conferred by section 132 of the Mental Capacity Act (Northern Ireland) 2016<sup>(2)</sup>, makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Mental Capacity (Research) (Amendment) Regulations (Northern Ireland) 2022 and shall come into operation on 21st December 2022.

(2) In these Regulations—

“the Act” means the Mental Capacity Act (Northern Ireland) 2016; and

“the principal Regulations” means the Mental Capacity (Research) Regulations (Northern Ireland) 2019<sup>(3)</sup>.

**Commencement Information**

**II** Reg. 1 in operation at 21.12.2022, see [reg. 1\(1\)](#)

**Amendments to the principal Regulations**

2. In the principal Regulations, for regulation 2 there shall be substituted the following—

“2. For the purpose of section 132(4) of the Act, the following persons, committees or other bodies are appropriate bodies—

- (a) HSC Research Ethics Committee A;
- (b) HSC Research Ethics Committee B;
- (c) Office of Research Ethics Committees Northern Ireland;

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(1) Formerly the Department of Health, Social Services and Public Safety; see [2016 c. 5 \(N.I.\)](#), s. 1(5)

(2) [2016 c. 18 \(N.I.\)](#)

(3) [S.R. 2019 No. 193](#) as amended by [S.R. 2020 No.17](#)

- (d) Open University Human Research Ethics Committee;
- (e) Queens University Research Governance, Ethics and Integrity Committee;
- (f) Ulster University Research Ethics Committee; and
- (g) the following Research Ethics Committees overseen by the Health Research Authority’s Research Ethics Service—
  - (i) East Midlands – Derby;
  - (ii) East Midlands – Leicester Central;
  - (iii) East Midlands - Leicester South;
  - (iv) East Midlands – Nottingham 1;
  - (v) East Midlands – Nottingham 2;
  - (vi) East of England – Cambridge Central;
  - (vii) East of England – Cambridge East;
  - (viii) East of England – Cambridgeshire and Hertfordshire;
  - (ix) East of England – Cambridge South;
  - (x) East of England – Essex;
  - (xi) London – Bloomsbury;
  - (xii) London – Brent;
  - (xiii) London – Brighton and Sussex;
  - (xiv) London – Bromley;
  - (xv) London – Camberwell St Giles;
  - (xvi) London – Camden and Kings Cross;
  - (xvii) London – Central;
  - (xviii) London – Chelsea;
  - (xix) London – City and East;
  - (xx) London – Dulwich;
  - (xxi) London – Fulham;
  - (xxii) London – Hampstead;
  - (xxiii) London – Harrow;
  - (xxiv) London – London Bridge;
  - (xxv) London – Queen Square;
  - (xxvi) London – Riverside;
  - (xxvii) London – South East;
  - (xxviii) London – Stanmore;
  - (xxix) London – Surrey;
  - (xxx) London – Surrey Borders;
  - (xxxi) London – West London & GTAC;
  - (xxxii) London – Westminster;
  - (xxxiii) Social Care Research Ethics Committee;
  - (xxxiv) North East – Newcastle and North Tyneside 1;
  - (xxxv) North East – Newcastle and North Tyneside 2;

- (xxxvi) North East – Tyne & Wear South;
- (xxxvii) North East – York;
- (xxxviii) North West – Greater Manchester (GM) Central;
- (xxxix) North West – Greater Manchester (GM) East;
  - (xl) North West – Greater Manchester South;
  - (xli) North West – Greater Manchester (GM) West;
  - (xlii) North West – Haydock
- (xlili) North West – Liverpool Central;
- (xliv) North West – Preston;
- (xlv) South Central – Hampshire A;
- (xlvi) South Central – Hampshire B;
- (xlvii) South Central – Berkshire;
- (xlviii) South Central – Berkshire B;
- (xlix) South Central – Oxford A;
  - (l) South Central – Oxford B;
  - (li) South Central – Oxford C;
- (lii) South West – Central Bristol;
- (liii) South West – Cornwall and Plymouth;
- (liv) South West – Frenchay;
  - (lv) Wales Research Ethics Committee 1;
  - (lvi) Wales Research Ethics Committee 2;
  - (lvii) Wales Research Ethics Committee 3;
  - (lviii) Wales Research Ethics Committee 4;
  - (lix) Wales Research Ethics Committee 5;
  - (lx) Wales Research Ethics Committee 6;
  - (lxi) Wales Research Ethics Committee 7;
- (lxii) West Midlands – Coventry and Warwickshire;
- (lxiii) West Midlands – Edgbaston;
- (lxiv) West Midlands – Solihull;
- (lxv) West Midlands – South Birmingham;
- (lxvi) West Midlands – The Black Country;
- (lxvii) Yorkshire and the Humber – Bradford Leeds;
- (lxviii) Yorkshire and the Humber – Leeds East;
- (lxix) Yorkshire and the Humber – Leeds West;
- (lxx) Yorkshire and the Humber – Sheffield; and
- (lxxi) Yorkshire and the Humber – South Yorkshire.”.

**Commencement Information**

**I2** Reg. 2 in operation at 21.12.2022, see [reg. 1\(1\)](#)

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**Changes to legislation:** *There are currently no known outstanding effects for the The Mental Capacity (Research)(Amendment) Regulations (Northern Ireland) 2022. (See end of Document for details)*

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Sealed with the Official Seal of the Department of Health on 30th November 2022

(L.S.)

*Gavin Quinn*  
A senior officer of the Department of Health

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Mental Capacity (Research) Regulations (Northern Ireland) 2019 by substituting regulation 2 in the principal Regulations with a new regulation.

The new regulation provides an updated list specifying the persons, committee or other bodies who can act as appropriate bodies for the purpose of approving research involving persons who are aged 16 or over and lack capacity in relation to participation in the research.

**Changes to legislation:**

There are currently no known outstanding effects for the The Mental Capacity (Research) (Amendment) Regulations (Northern Ireland) 2022.