

*Status: This version of this provision is prospective.*

**Changes to legislation:** *Mental Capacity Act (Northern Ireland) 2016, Section 220 is up to date with all changes known to be in force on or before 18 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 7

#### TRANSFER FROM PRISON ETC TO HOSPITAL

##### *Other detainees*

PROSPECTIVE

#### **Transfer of certain other detainees to hospital**

**220.—**(1) Where—

- (a) a person (“A”) is a relevant detainee, and
- (b) the conditions for giving a direction under this section are met (see section 223),

the Department of Justice may by warrant direct that A be removed to a hospital specified in the direction.

(2) The managing authority of the hospital specified in the direction must—

- (a) admit the person; and
- (b) detain him or her in accordance with section 221.

(3) In this section “a relevant detainee” means a person detained in a relevant place who is not—

- (a) a person serving a relevant sentence (as defined by section 211);

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- (b) a civil prisoner or immigration detainee (as defined by section 214); or
  - (c) a person remanded in custody by a magistrates' court.
- (4) In this section “a relevant place” means—
- (a) a prison;
  - (b) a remand centre;
  - (c) a young offenders centre; or
  - (d) a juvenile justice centre.

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**Changes and effects yet to be applied to :**

- s. 220(1) modified (temp.) by [2020 c. 7 Sch. 11 para. 17](#)

**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\(b\)](#)