

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

**Changes to legislation:** *Mental Capacity Act (Northern Ireland) 2016, Section 225 is up to date with all changes known to be in force on or before 06 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*



## 2016 CHAPTER 18

### PART 10

#### CRIMINAL JUSTICE

##### CHAPTER 8

#### RIGHTS OF REVIEW OF DETENTION UNDER PART 10

##### *Applications and references to Tribunal: general*

PROSPECTIVE

#### **Right to apply to Tribunal**

**225.—**(1) Where the circumstances mentioned in the first column of the following table occur, a qualifying person (see section 226) may apply to the Tribunal within the period mentioned in the corresponding entry of the second column of the table.

<i>Circumstances</i>	<i>Period for making application</i>
A public protection order is made or a hospital direction or hospital transfer direction is given	The period of 6 months beginning with the date of the order or direction (“the initial period”)
The period of a public protection order without restrictions is extended (under section 181 or 182 or Schedule 6)	The period— (a) beginning with the date when the period of the order is extended; and

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<p>A person is—</p> <p>(a) liable to be detained under a public protection order with restrictions, or</p> <p>(b) liable to be detained in a hospital under a hospital direction or hospital transfer direction, at the beginning of a relevant period</p>	<p>(b) ending with the end of the period for which the order is extended</p> <p>The relevant period</p>
<p>(2) In this section a “relevant period”, in relation to an order or direction, means—</p> <p>(a) the period of 6 months immediately following the initial period; or</p> <p>(b) any period of 12 months which begins with an anniversary of the date of the order or direction.</p> <p>(3) This section is subject to sections 236 and 237 (applications to Tribunal following conditional discharge of person subject to public protection order with restrictions).</p>	

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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\(b\)](#)