



2016 CHAPTER 18

PART 13

OFFENCES

Obstruction

272.—(1) It is an offence for a person—

- (a) to refuse to allow the visiting or examination of any person by a person who is authorised by virtue of a relevant provision to carry out the visit or examination;
- (b) to refuse to produce any record the production of which is required by virtue of a provision mentioned in subsection (4)(a) or (b); or
- (c) otherwise to obstruct a person who is—
 - (i) carrying out a visit or examination by virtue of a relevant provision;
 - or
 - (ii) exercising any other function by virtue of a provision mentioned in subsection (4)(a) or (b).

(2) Without prejudice to the generality of subsection (1), it is an offence for a person to insist on being present when requested to withdraw by a person authorised by virtue of a relevant provision to visit or examine a person.

(3) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding 3 months or a fine not exceeding level 4 on the standard scale or both.

(4) In this section “relevant provision” means—

- (a) section 18(2), 92, 121, 127 or 131;
- (b) section 46, 47, 48, 227, 228 or 229 (read with section 275); or

Changes to legislation: *Mental Capacity Act (Northern Ireland) 2016, Section 272 is up to date with all changes known to be in force on or before 14 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*

(c) section 39 or 126 or any provision of Schedule 1, 2 or 3.

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Commencement Information

- I1** S. 272(1)-(3) 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](#))
- I2** S. 272(4)(b)(c) in operation at 2.12.2019 for specified purposes (In s. 272(4)(b)" until "48" and (c) but omitting "or 126") by [S.R. 2019/163, art. 2\(4\)](#), [Sch. Pt. 4](#) (with [art. 3](#)) (as amended by [S.R. 2019/190, art. 2](#))

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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\(b\)](#)