

*These notes refer to the Mental Capacity Act (Northern Ireland)  
2016 (c.18) which received Royal Assent on 9 May 2016*

# Mental Capacity Act (Northern Ireland) 2016

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 3 – Nominated Person**

##### ***Section 81 – Tribunal’s power to appoint nominated person***

This section gives the Tribunal power to make an order appointing a nominated person (aged 16 or over) for P, if satisfied that the conditions in section 80 are met. In doing so, the Tribunal must not appoint a person named in a declaration made by P under section 77, unless circumstances since the declaration have changed to such an extent that the Tribunal can justify appointing that person.

An appointment made by the Tribunal revokes any previous appointment of a nominated person whether made by the Tribunal (under this section) or by P (under section 70). The section also provides that a person who is appointed may resign as P’s nominated person by giving notice in writing to P.