

*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

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4 – Independent Mental Capacity Advocates

Section 93 – Right of person to discontinue involvement of independent mental capacity advocate

This section provides that where an independent mental capacity advocate has been instructed and P subsequently decides that he or she no longer wishes to continue to avail of the advocate's services, P can make a declaration saying as such, if he or she has capacity to do so. The HSC trust must then withdraw the instruction to the independent mental capacity advocate. P's declaration must be in writing and meet the conditions set out in section 95. The declaration can be revoked at any time by P if he or she has capacity to do so.