

*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 7 – Public Guardian and Court Visitors

Section 126 – Functions of the Public Guardian

This section provides for the functions of the Public Guardian, which include: establishing and maintaining registers of lasting powers of attorney, and orders appointing deputies; supervising deputies appointed by the court; directing a Court Visitor to visit certain individuals and produce a report for the Public Guardian; receiving court-imposed securities from persons; receiving reports from persons who are attorneys under lasting powers of attorney and court-appointed deputies; reporting to the court on matters relating to proceedings under this Act, except proceedings under Part 10, as required; dealing with complaints about the operation of lasting powers of attorney; and publishing reports about the performance of the Public Guardian as appropriate.

This section includes a power for the Department of Justice to make provision for other functions of the Public Guardian by regulations. The scope of these regulations is outlined within the section.