2016 CHAPTER 18

PART 12 N.I.

CHILDREN

PROSPECTIVE

In-patients under 18: duties of hospital managers N.I.

265.—(1) This section applies in relation to a person who—

(a) is 16 or over, but under 18; and

(b) is an in-patient in a hospital for the purposes of the assessment or treatment of mental disorder under this Act.

(2) The managing authority of the hospital must ensure that (subject to the person's needs) the person's environment in the hospital is suitable having regard to his or her age.

(3) For the purpose of deciding how to fulfil the duty under subsection (2), the managing authority must consult a person who appears to that authority to have knowledge or experience which makes that person suitable to be consulted.

Amendments of Mental Health Order: children etc N.I.

266.—(1) Schedule 8—

(a) restricts the application of Part 2 of the Mental Health Order to children;

(b) amends that Order so as to—

(i) make provision for independent advocates for children; and

(ii) require persons making certain decisions to have a child's best interests as their primary consideration;

(c) makes other amendments of that Order.

(2) In this section "children" means children under 16.

Commencement Information

I1 S. 266(1)(c) in operation at 2.12.2019 by S.R. 2019/163, art. 2(2), **Sch. Pt. 2** (with art. 3) (as amended by S.R. 2019/190, art. 2)

Status:
This version of this part contains provisions that are prospective.

Changes to legislation:
Mental Capacity Act (Northern Ireland) 2016, PART 12 is up to date with all changes known to be in force on or before 18 September 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.
View outstanding changes

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)