



## 2016 CHAPTER 18

### PART 1

#### PRINCIPLES

##### *Principles*

##### **Principle: best interests**

2.—(1) The principle in subsection (2) applies where, under this Act—

- (a) an act is done for or on behalf of a person who is 16 or over and lacks capacity in relation to whether the act should be done; or
- (b) a decision is made for or on behalf of a person who is 16 or over and lacks capacity to make the decision.

(2) The act must be done, or the decision must be made, in the person's best interests (see section 7).

##### **Commencement Information**

- I1** [S. 2](#) in operation at 1.10.2019 for specified purposes by [S.R. 2019/163, art. 2\(1\)](#), [Sch. Pt. 1](#) (with [art. 3](#)) (as amended by [S.R. 2019/190, art. 2](#))
- I2** [S. 2](#) in operation at 2.12.2019 for specified purposes by [S.R. 2019/163, art. 2\(3\)](#), [Sch. Pt. 3](#) (as amended by [S.R. 2019/190, art. 2](#))

**Changes to legislation:**

Mental Capacity Act (Northern Ireland) 2016, Section 2 is up to date with all changes known to be in force on or before 07 April 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\(b\)](#)