

*Status: This version of this provision is prospective.*

**Changes to legislation:** *Mental Capacity Act (Northern Ireland) 2016, Section 237 is up to date with all changes known to be in force on or before 18 March 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. (See end of Document for details) View outstanding changes*



## 2016 CHAPTER 18

### PART 10

#### CRIMINAL JUSTICE

##### CHAPTER 8

##### RIGHTS OF REVIEW OF DETENTION UNDER PART 10

*Effect of conditional discharge from public protection order with restrictions*

PROSPECTIVE

#### **Applications to Tribunal where person has not been recalled**

**237.**—(1) This section applies where a person liable to be detained under a public protection order with restrictions has been conditionally discharged under section 191 or 232 (and has not been recalled under section 192).

(2) A qualifying person (see section 226) may apply to the Tribunal—

- (a) within the period of 12 months beginning with the date on which the person was conditionally discharged; and
- (b) within any period of 12 months which begins with an anniversary of that date.

(3) On an application under this section the Tribunal must do one of the following (and may do things mentioned in both paragraphs (a) and (b))—

- (a) vary any condition to which the person is subject in connection with the discharge;

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- (b) impose any condition that might have been imposed in connection with the discharge;
  - (c) discharge the person from liability to be detained under the public protection order;
  - (d) decide to take no action.
- (4) No application under section 225 may be made in respect of the order.

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**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\(b\)](#)