

*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

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 10 – Criminal Justice**

#### *Chapter 9 – Supplementary*

#### *Section 243 - Section 22 may apply to person detained under Part 10*

This section applies in relation to any provision of Part 10 which provides that the question whether a person may be given treatment while detained in pursuance of a remand, order or direction under Part 10, is to be determined in the same way as if the person was not so detained.

Such a provision does not prevent the person from falling within the reference in section 23 to a person detained under this Act in circumstances amounting to a deprivation of liberty and accordingly, does not prevent section 20 from applying in relation to the person.