

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

**Changes to legislation:** *Mental Capacity Act (Northern Ireland) 2016, Section 293 is up to date with all changes known to be in force on or before 22 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 15

#### SUPPLEMENTARY

##### *Warrants*

PROSPECTIVE

#### **Warrants: persons liable to be detained under 1983 Act or 2005 Order**

**293.**—(1) This section applies if it appears to a lay magistrate, on complaint on oath made by an authorised person—

- (a) that there is reasonable cause to believe that a person who may be taken into custody by virtue of a provision mentioned in subsection (3)(a) or (b) (a “relevant person”) is to be found on any premises, and
- (b) that admission to the premises has been refused or that a refusal of such admission is apprehended.

(2) The lay magistrate may issue a warrant authorising any constable accompanied by a medical practitioner to enter the premises, if need be by force, and remove the relevant person.

(3) In this section “authorised person” means a person authorised by or under—

- (a) section 88 of the Mental Health Act 1983, or
- (b) article 8 of the Mental Health (Care and Treatment) (Scotland) Act 2003 (Consequential Provisions) Order 2005,

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to take any relevant person into custody in Northern Ireland.

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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\(b\)](#)