



2016 CHAPTER 18

PART 15

SUPPLEMENTARY

Definitions

Persons “unconnected with” a person

304.—(1) For the purposes of this Act a person (“B”) is “unconnected with” another person (“A”) unless—

- (a) B receives any payments made on account of A's maintenance, or has an interest in the receipt of any such payments;
 - (b) B is A's spouse, civil partner, parent, child, brother, sister, mother-in law, father-in law, son-in-law, daughter-in-law, sister-in-law or brother-in-law;
 - (c) B is living with A as if he or she were A's spouse or civil partner and has been so living for a period of at least 6 months;
 - (d) B is someone with whom A lives and has been living for a period of at least 5 years; or
 - (e) A is living in a relevant place and, at the time when A started living in the relevant place—
 - (i) B had been living with A as if he or she were A's spouse or civil partner for a period of at least 6 months; or
 - (ii) B was a person with whom A had been living for a period of at least 5 years.
- (2) In subsection (1)(e) “relevant place” means—
- (a) a hospital;

Changes to legislation: *Mental Capacity Act (Northern Ireland) 2016, Section 304 is up to date with all changes known to be in force on or before 02 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. (See end of Document for details) View outstanding changes*

- (b) a care home; or
- (c) a place of a prescribed description.

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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\(b\)](#)