
Changes to legislation: *Mental Capacity Act (Northern Ireland) 2016, Cross Heading: Measures proposed to be carried out only if particular circumstances arise is up to date with all changes known to be in force on or before 23 July 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*

SCHEDULES

SCHEDULE 1

Authorisation by panel of certain serious interventions

Part 3

The criteria for authorisation

Measures proposed to be carried out only if particular circumstances arise

13 In applying the criteria in this Part of this Schedule in a case where a measure is proposed to be carried out only if particular circumstances arise, any question—

- (a) whether the measure would be in P's best interests,
- (b) whether failure to carry out the measure would create a particular risk, or
- (c) whether carrying out the measure would be a proportionate response,

is to be decided on the basis of what the situation would be if those circumstances arose.

Commencement Information

- II** Sch. 1 para. 13 in operation at 2.12.2019 for specified purposes by S.R. 2019/163, art. 2(4), Sch. Pt. 4 (with art. 3) (as amended by S.R. 2019/190, art. 2)

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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\(b\)](#)