

*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 7 – Public Guardian and Court Visitors**

##### *Section 129 – Notifications under section 128: procedure and effect*

This section provides for the procedure and effect of a notification to the Public Guardian under section 128. The section requires that the timing and form of any notification must be made as specified within court rules, and the relevant authority making the notification must inform P's nominated person, where practicable. Upon receipt of the notification, the Public Guardian must consider if it is appropriate to make inquiries into the case and seek leave from the court to do so. Where inquiries have been made, the Public Guardian may, if he or she considers it appropriate to do so, arrange for proceedings to be brought before the court under section 113.