

Changes to legislation: Mental Capacity Act (Northern Ireland) 2016, Cross Heading: Protection from proceedings is up to date with all changes known to be in force on or before 21 May 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

PROSPECTIVE

Protection from proceedings

Protection for acts done in pursuance of Part 9 or 10

298.—(1) No civil proceedings may be brought against a person in any court in respect of a relevant act without the leave of the High Court.

(2) No criminal proceedings may be brought against a person in any court in respect of a relevant act except by, or with the consent of, the Director of Public Prosecutions for Northern Ireland.

(3) This section does not apply to proceedings against the Department^{F1} ... or an HSC trust. (4) In this section “relevant act” means any act purporting to be done in pursuance of any provision of Part 9 or 10.

Textual Amendments

F1 Words in s. 298(3) omitted (1.4.2022) by virtue of [Health and Social Care Act \(Northern Ireland\) 2022 \(c. 3\)](#), s. 8(1)(b), [Sch. 1 para. 252\(7\)](#); S.R. 2022/102, art. 2(b)

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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\(b\)](#)