

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: Mental Capacity Act (Northern Ireland) 2016, Paragraph 3 is up to date with all changes known to be in force on or before 14 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

SCHEDULES

PROSPECTIVE

SCHEDULE 5

Property and affairs: supplementary provisions

Wills: requirements relating to execution

3.—(1) Sub-paragraph (2) applies if under section 113 the court makes an order or gives directions requiring or authorising a person (“the authorised person”) to execute a will on behalf of P.

(2) Any will executed in pursuance of the order or direction—

- (a) must state that it is signed by P acting by the authorised person;
- (b) must be signed by the authorised person with the name of P and the authorised person's own name, in the presence of two or more witnesses present at the same time;
- (c) must be attested and subscribed by those witnesses in the presence of the authorised person; and
- (d) must be sealed with the official seal of the court.

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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\(b\)](#)