



2016 CHAPTER 18

PART 3

NOMINATED PERSON

Default nominated person

Section 73: persons to be disregarded

75.—(1) This section supplements section 73.

(2) In determining who is the default nominated person for P, the following are to be disregarded—

- (a) any person under 16;
- (b) where P is ordinarily resident in the United Kingdom, the Channel Islands, the Isle of Man or Ireland, any person who is not so resident;
- (c) any person who under section 77 (declaration by P) is to be disregarded in determining who is the default nominated person for P;
- (d) any person who has in accordance with section 78 declined to be the nominated person for P (and has not withdrawn that notice);
- (e) any person who under an order of the Tribunal under section 82 is to be disregarded in determining who is the default nominated person for P.

Commencement Information

- II** S. 75 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)

Changes to legislation:

Mental Capacity Act (Northern Ireland) 2016, Section 75 is up to date with all changes known to be in force on or before 13 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.

[View outstanding changes](#)

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\(b\)](#)