
STATUTORY INSTRUMENTS

1986 No. 595

The Mental Health (Northern Ireland) Order 1986

PART II

COMPULSORY ADMISSION TO HOSPITAL AND GUARDIANSHIP

Admission to hospital for assessment

Effect of application for assessment

8.—(1) An application for assessment duly completed in accordance with this Part shall be sufficient authority for—

- (a) the applicant or a person authorised by the applicant; or
- (b) the responsible^[F1] authority], if the applicant so requests in a case of difficulty,

to take the patient and convey him to the hospital specified in the application at any time within the period of—

- (i) two days beginning with the date on which the medical recommendation was signed; or
- (ii) such longer period (not exceeding 14 days) as a medical practitioner appointed for the purposes of this Part by ^[F2]RQIA] may certify in the prescribed form to be necessary in exceptional circumstances.

(2) Where a patient is admitted within that period to the hospital specified in any such application, or, being within a hospital, is treated by virtue of Article 7 as if he had been so admitted,—

^[F1](a) the application shall be sufficient authority for the responsible authority to detain the patient in the hospital in accordance with Article 9; and]

- (b) the responsible^[F1] authority] shall immediately forward to ^[F2]RQIA] a copy of the application for assessment and of the medical recommendation on which it is founded.

(3) Where a patient who is subject under this Order to the guardianship of a person other than ^[F1F3]... an authorised ^[F4]HSC trust]] is admitted to hospital for assessment, it shall be the duty of the responsible^[F1] authority] to inform the guardian of the patient to that effect as soon as may be practicable.

F1 1994 NI 2

F2 Words in Order substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 8(1)** (subject to Sch. 6 para. 8(2)-(4)); S.R. 2009/114, **art. 2**

F3 Words in art. 8(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. 69**; S.R. 2022/102, art. 2(b)

F4 Words in Order substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 1(1)(d)** (with Sch. 6 para. 1(3)); S.R. 2009/114, **art. 2**

Changes to legislation: The Mental Health (Northern Ireland) Order 1986, Section 8 is up to date with all changes known to be in force on or before 24 June 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

Modifications etc. (not altering text)

- C1** Pt. II expiry of earlier affecting provision 2020 c. 7, Sch. 10 paras. 3-13 (25.3.2022) by [Coronavirus Act 2020 \(c. 7\), s. 89](#) (with s. 90)
- C2** Art. 8 applied (31.3.2013) by [Mental Health \(Private Hospitals\) Regulations \(Northern Ireland\) 2012 \(S.R. 2012/403\)](#), regs. 1, [3\(3\)\(e\)](#), 4
- C3** Art. 8 applied (31.3.2013) by [Mental Health \(Private Hospitals\) Regulations \(Northern Ireland\) 2013 \(S.R. 2013/22\)](#), regs. 1, [3\(3\)\(e\)](#), 4

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Changes and effects yet to be applied to :

- [art. 8\(3\) repealed by 2016 c. 18 \(N.I.\) Sch. 8 para. 7](#)[Sch. 11](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- [Sch. 5 Pt. 2 repealed in part by S.I. 2003/435 \(N.I.\) Sch. 5](#) (text not available on [Legislation.gov.uk](#))
- [Sch.05 Pt. 1 rev. in pt. by 1995 c. 35 s. 29\(2\)](#)[Sch. 3](#)
- [Sch. 5 Pt. 2 rev. in pt. by 1998 c. 47 s. 100\(2\)](#)[Sch. 15](#)
- [art. 14A inserted by 2016 c. 18 \(N.I.\) Sch. 8 para. 10](#)
- [art. 36\(2\)\(za\) inserted by 2016 c. 18 \(N.I.\) Sch. 8 para. 22\(3\)](#)
- [art. 36\(3\)\(e\) and word inserted by 2016 c. 18 \(N.I.\) Sch. 8 para. 22\(4\)\(d\)](#)
- [art. 37\(1\)\(za\) inserted by 2016 c. 18 \(N.I.\) Sch. 8 para. 23\(2\)\(a\)](#)
- [art. 37\(1A\) inserted by 2016 c. 18 \(N.I.\) Sch. 8 para. 23\(3\)](#)
- [art. 52 rev. by 1996 c. 46 s. 35\(2\)](#)[Sch.7 Pt. 3](#)
- [art.52 rev. \(DrosD,\) by 1996 c. 46 s. 35\(2\)](#)[Sch.7 Pt.III](#)
- [art. 63A63B inserted by 2016 c. 18 \(N.I.\) Sch. 8 para. 31](#)
- [art. 67\(2A\) inserted by 2016 c. 18 \(N.I.\) Sch. 8 para. 35\(4\)](#)
- [art. 83\(4A\) inserted by 2016 c. 18 \(N.I.\) Sch. 8 para. 48\(4\)](#)
- [art. 120\(4\) inserted by 2016 c. 18 \(N.I.\) Sch. 8 para. 59\(4\)](#)
- [art. 133\(2A\) inserted by 2016 c. 18 \(N.I.\) Sch. 8 para. 68\(4\)](#)