

2020 No. 17

MENTAL CAPACITY

**The Mental Capacity (Research) (Amendment) Regulations
(Northern Ireland) 2020**

Made - - - - - *29th January 2020*

Coming into operation - - - - - *3rd February 2020*

The Department of Health(a), in exercise of the powers conferred by section 132 of the Mental Capacity Act (Northern Ireland) 2016(b), makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Mental Capacity (Research) (Amendment) Regulations (Northern Ireland) 2020 and shall come into operation on 3rd February 2020.

(2) In these Regulations—

“the Act” means the Mental Capacity Act (Northern Ireland) 2016; and

“the principal Regulations” means the Mental Capacity (Research) Regulations (Northern Ireland) 2019(c).

Amendments to the principal Regulations

2. In the principal Regulations, for regulation 2 there shall be substituted the following—

“**2.** For the purpose of section 132(4) of the Act, the following persons, committees or other bodies are appropriate bodies—

- (a) HSC Research Ethics Committee A;
- (b) HSC Research Ethics Committee B;
- (c) Office of Research Ethics Committees Northern Ireland;
- (d) Open University Human Research Ethics Committee;
- (e) Queen’s University Research Governance, Ethics and Integrity Committee;
- (f) Ulster University Research Ethics Committee; and
- (g) the following Research Ethics Committees overseen Health Research Authority’s Research Ethics Service—
 - (i) East of England – Essex;
 - (ii) East of England – Cambridge Central;
 - (iii) London – Camden and Kings Cross;

(a) 2016 c. 5 (NI), s 1(5)
(b) 2016 c. 18 (NI)
(c) S.R. 2019 No. 193

- (iv) London – Brighton and Sussex;
- (v) London – Bromley;
- (vi) London – Camberwell St Giles;
- (vii) London – Harrow;
- (viii) London – Queen Square;
- (ix) London – South East;
- (x) Social Care Research Ethics Committee;
- (xi) North East – Newcastle and North Tyneside 1;
- (xii) North East – Newcastle and North Tyneside 2;
- (xiii) North West – Greater Manchester South;
- (xiv) North West – Haydock;
- (xv) South Central – Hampshire A;
- (xvi) South Central – Berkshire;
- (xvii) South Central – Oxford C;
- (xviii) Wales Research Ethics Committee 1;
- (xix) Wales Research Ethics Committee 2;
- (xx) Wales Research Ethics Committee 3;
- (xxi) Wales Research Ethics Committee 4;
- (xxii) Wales Research Ethics Committee 5;
- (xxiii) Wales Research Ethics Committee 6;
- (xxiv) Wales Research Ethics Committee 7;
- (xxv) West Midlands – Coventry and Warwickshire;
- (xxvi) Yorkshire and the Humber – Bradford Leeds;
- (xxvii) Yorkshire and the Humber – Leeds East; and
- (xxviii) Yorkshire and the Humber – Leeds West.”

Sealed with the Official Seal of the Department of Health on 29th January 2020.

(L.S.)

Mark Lee
A senior officer of the Department of Health.

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations amend the Mental Capacity (Research) Regulations (Northern Ireland) 2019 by substituting regulation 2 in the principal Regulations with a new regulation.

The new regulation provides a list specifying who the persons, committee or other bodies who can act as appropriate bodies for the purpose of approving research involving persons who are over 16 and lack capacity in relation to participation in the research.

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