

*Status: This version of this provision is prospective.*

**Changes to legislation:** *Mental Capacity Act (Northern Ireland) 2016, Section 148 is up to date with all changes known to be in force on or before 10 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 9

#### POWER OF POLICE TO REMOVE PERSON TO PLACE OF SAFETY

*Duties and powers of police where person removed to place of safety*

PROSPECTIVE

##### **Section 147: meaning of “the required information” etc**

**148.—**(1) This section supplements section 147.

(2) “The required information” means—

- (a) the fact that R has been taken to a place of safety under section 139 or 145;
- (b) R's name and address, if known;
- (c) the address of the place of safety to which R was taken;
- (d) the date and time at which R—
  - (i) was removed from the public place (where the notification relates to a removal under section 139); or
  - (ii) was taken from the place of safety from which he or she was transferred (where the notification relates to a transfer under section 145);
- (e) the circumstances giving rise to R's removal or transfer; and
- (f) if the place of safety to which R was taken is a police station, the reason why R was taken there.

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(3) Section 147 applies instead of Article 10 of the Criminal Justice (Children) (Northern Ireland) Order 1998 in any case where (but for this subsection) both that section and that Article would apply.

(4) Article 57 of PACE (right to have someone informed when arrested and detained) does not apply in relation to a person detained in a place of safety under this Part.

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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\(b\)](#)