



Enduring Powers of Attorney Act 1985

CHAPTER 29

ENDURING POWERS OF ATTORNEY ACT 1985

Enduring powers of attorney

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- 2 Characteristics of an enduring power
- 3 Scope of authority etc. of attorney under enduring power

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- 4 Duties of attorney in event of actual or impending incapacity of donor
- 5 Functions of court prior to registration
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Legal position after registration

- 7 Effect and proof of registration, etc.
- 8 Functions of court with respect to registered power

Protection of attorney and third parties

- 9 Protection of attorney and third persons where power invalid or revoked

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- 10 Application of Mental Health Act provisions relating to the court
- 11 Application to joint and joint and several attorneys
- 12 Power of Lord Chancellor to modify pre-registration requirements in certain cases
- 13 Interpretation
- 14 Short title, commencement and extent

SCHEDULES

SCHEDULE 1 — Notification Prior to Registration

PART I — DUTY TO GIVE NOTICE TO RELATIVES AND DONOR

Duty to give notice to relatives

- 1 Subject to paragraph 3 below, before making an application for...
- 2 (1) Subject to the limitations contained in sub-paragraphs (2) to...
- 3 (1) An attorney shall not be required to give notice...

Duty to give notice to donor

- 4 (1) Subject to sub-paragraph (2) below, before making an application...
- PART II — CONTENTS OF NOTICES
- 5 A notice to relatives under this Schedule—
- 6 A notice to the donor under this Schedule-
- PART III — DUTY TO GIVE NOTICE TO OTHER ATTORNEYS
- 7 (1) Subject to sub-paragraph (2) below, before making an application...
- PART IV — SUPPLEMENTARY
- 8 (1) For the purposes of this; Schedule an illegitimate child...

SCHEDULE 2 — Further Protection of Attorney and Third Persons

- 1 Where— (a) an instrument framed in a form prescribed under...
- 2 An attorney who acts in pursuance of the power shall...
- 3 Any transaction between the attorney and another person shall, in...
- 4 Section 9(4) shall apply for the purpose of determining whether...

SCHEDULE 3 — Joint and Joint and Several Attorneys

PART I — JOINT ATTORNEYS

- 1 In section 2(7), the reference to the time when the...
- 2 In section 2(9) and (10), the reference to the attorney...
- 3 In section 5, references to the attorney shall be read...
- 5 In section 8(2), references to the attorney shall be read...
- 6 In section 8(4), references to the attorney shall be read...

PART II — JOINT AND SEVERAL ATTORNEYS

- 7 In section 2(10), the reference to the bankruptcy of the...
- 8 The restriction upon disclaimer imposed by section 4(6) applies only...