
Changes to legislation: There are currently no known outstanding effects for the Mental Capacity Act 2005, Paragraph 39. (See end of Document for details)

SCHEDULES

SCHEDULE 6

MINOR AND CONSEQUENTIAL AMENDMENTS

Leasehold Reform, Housing and Urban Development Act 1993 (c. 28)

- 39 (1) For paragraph 4 of Schedule 2 to the Leasehold Reform, Housing and Urban Development Act 1993 (c. 28) (landlord under a disability), substitute—
- “4 (1) This paragraph applies where a Chapter I or Chapter II landlord lacks capacity (within the meaning of the Mental Capacity Act 2005) to exercise his functions as a landlord.
- (2) For the purposes of the Chapter concerned, the landlord's place is to be taken—
- (a) by a donee of an enduring power of attorney or lasting power of attorney (within the meaning of the 2005 Act), or a deputy appointed for him by the Court of Protection, with power to exercise those functions, or
- (b) if no deputy or donee has that power, by a person authorised in that respect by that court.”.
- (2) That amendment does not affect any proceedings pending at the commencement of this paragraph in which a receiver or a person authorised under Part 7 of the Mental Health Act 1983 (c. 20) is acting on behalf of the landlord.

Changes to legislation:

There are currently no known outstanding effects for the Mental Capacity Act 2005, Paragraph 39.