

SCHEDULES

SCHEDULE 6

MINOR AND CONSEQUENTIAL AMENDMENTS

U.S.A. Veterans' Pensions (Administration) Act 1949 (c. 45)

- 7 In section 1 of the U.S.A. Veterans' Pensions (Administration) Act 1949 (c. 45) (administration of pensions)—
- (a) in subsection (4), omit the words from “or for whom” to “1983”, and
 - (b) after subsection (4), insert—
 - “(4A) An agreement under subsection (1) is not to be made in relation to a person who lacks capacity (within the meaning of the Mental Capacity Act 2005) for the purposes of this Act if—
 - (a) there is 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 the person by the Court of Protection, and
 - (b) the donee or deputy has power in relation to the person for the purposes of this Act.
 - (4B) The proviso at the end of subsection (4) also applies in relation to subsection (4A).”.