
Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Enduring Powers of Attorney Act 1985 (repealed), SCHEDULE 3. (See end of Document for details)

SCHEDULES

SCHEDULE 3

Section 11(2) (3).

JOINT AND JOINT AND SEVERAL ATTORNEYS

PART I

JOINT ATTORNEYS

- 1 In section 2(7), the reference to the time when the attorney executes the instrument shall be read as a reference to the time when the second or last attorney executes the instrument.
- 2 In section 2(9) and (10), the reference to the attorney shall be read as a reference to any attorney under the power.
- 3 In section 5, references to the attorney shall be read as including references to any attorney under the power.
- 4 Section 6 shall have effect as if the ground of objection to the registration of the instrument specified in subsection (5)(e) applied to any attorney under the power.
- 5 In section 8(2), references to the attorney shall be read as including references to any attorney under the power.
- 6 In section 8(4), references to the attorney shall be read as including references to any attorney under the power.

PART II

JOINT AND SEVERAL ATTORNEYS

- 7 In section 2(10), the reference to the bankruptcy of the attorney shall be construed as a reference to the bankruptcy of the last remaining attorney under the power; and the bankruptcy of any other attorney under the power shall cause that person to cease to be attorney, whatever the circumstances of the bankruptcy.
- 8 The restriction upon disclaimer imposed by section 4(6) applies only to those attorneys who have reason to believe that the donor is or is becoming mentally incapable.

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