

*These notes refer to the Mental Capacity Act 2005
(c.9) which received Royal Assent on 7 April 2005*

MENTAL CAPACITY ACT 2005

EXPLANATORY NOTES

SCHEDULES

Schedule 1: Lasting powers of attorney: formalities

Part 4: Records of alterations in registered powers

166. A note of any revocation of an LPA, because of the donor or donee's bankruptcy, which only takes effect in so far as the power relates to the property and affairs of the donor will be attached to the LPA by the Public Guardian. The Public Guardian must also attach a note to an instrument if an event has terminated the appointment of the donee but not revoked the instrument (for example, if there is more than one donee), where a donee's ability to act has been suspended by the making of an interim bankruptcy restrictions order or the appointment of the donee has been replaced under the terms of the LPA. The Public Guardian must give the donor and donee notice of any notes attached to the LPA. Where the court has notified the Public Guardian that it has removed a provision from an instrument, *paragraph 24* requires that the Public Guardian must attach a note to that effect to the instrument.