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**Changes to legislation:** There are currently no known outstanding effects for the Mental Capacity Act 2005, Cross Heading: Duty to give notice to other attorneys. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 4

#### PROVISIONS APPLYING TO EXISTING ENDURING POWERS OF ATTORNEY

#### PART 3

#### NOTIFICATION PRIOR TO REGISTRATION

##### *Duty to give notice to other attorneys*

- 11 (1) Subject to sub-paragraph (2), before making an application for registration an attorney under a joint and several power must give notice of his intention to do so to any other attorney under the power who is not joining in making the application; and paragraphs 7(2) and 9 apply in relation to attorneys entitled to receive notice by virtue of this paragraph as they apply in relation to persons entitled to receive notice by virtue of paragraph 6.
- (2) An attorney is not entitled to receive notice by virtue of this paragraph if—
- (a) his address is not known to the applying attorney and cannot reasonably be ascertained by him, or
  - (b) the applying attorney has reason to believe that he has not reached 18 or is mentally incapable.

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Heading: Duty to give notice to other attorneys.