

Status: Point in time view as at 01/10/2012.

Changes to legislation: Mental Capacity Act 2005, Cross Heading: Cancellation of registration by Public Guardian is up to date with all changes known to be in force on or before 29 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 4

PROVISIONS APPLYING TO EXISTING ENDURING POWERS OF ATTORNEY

PART 5

LEGAL POSITION AFTER REGISTRATION

Cancellation of registration by Public Guardian

- 17 The Public Guardian must cancel the registration of an instrument creating an enduring power of attorney—
- (a) on receipt of a disclaimer signed by the attorney;
 - (b) if satisfied that the power has been revoked by the death or bankruptcy of the donor or attorney^{F1} or the making of a debt relief order (under Part 7A of the Insolvency Act 1986) in respect of the donor or attorney] or, if the attorney is a body corporate, by its winding up or dissolution;
 - (c) on receipt of notification from the court that the court has revoked the power;
 - (d) on confirmation from the court that the donor has revoked the power.

Textual Amendments

- F1** Words in Sch. 4 para. 17(b) inserted (1.10.2012) by The Tribunals, Courts and Enforcement Act 2007 (Consequential Amendments) Order 2012 (S.I. 2012/2404), art. 1, Sch. 2 para. 53(6)(d) (with art. 5)

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