

SCHEDULES

SCHEDULE 6

MINOR AND CONSEQUENTIAL AMENDMENTS

Law of Property Act 1925 (c. 20)

- 4 (1) The Law of Property Act 1925 (c. 20) is amended as follows.
- (2) In section 22 (conveyances on behalf of persons who lack capacity)—
 - (a) in subsection (1)—
 - (i) for the words from “in a person suffering” to “is acting” substitute “, either solely or jointly with any other person or persons, in a person lacking capacity (within the meaning of the Mental Capacity Act 2005) to convey or create a legal estate, a deputy appointed for him by the Court of Protection or (if no deputy is appointed”, and
 - (ii) for “the authority having jurisdiction under Part VII of the Mental Health Act 1983” substitute “the Court of Protection”,
 - (b) in subsection (2), for “is incapable, by reason of mental disorder, of exercising” substitute “lacks capacity (within the meaning of that Act) to exercise”, and
 - (c) in subsection (3), for the words from “an enduring power” to the end substitute “an enduring power of attorney or lasting power of attorney (within the meaning of the 2005 Act) is entitled to act for the trustee who lacks capacity in relation to the dealing.”.
- (3) In section 205(1) (interpretation), omit paragraph (xiii).