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*Status: Point in time view as at 01/10/2007.*

*Changes to legislation: Mental Capacity Act 2005, Paragraph 40 is up to date with all changes known to be in force on or before 05 May 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)*

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## SCHEDULES

### SCHEDULE 6

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Goods Vehicles (Licensing of Operators) Act 1995 (c. 23)*

- 40 (1) The Goods Vehicles (Licensing of Operators) Act 1995 (c. 23) is amended as follows.
- (2) In section 16(5) (termination of licence), for “he becomes a patient within the meaning of Part VII of the Mental Health Act 1983” substitute “ he becomes a person who lacks capacity (within the meaning of the Mental Capacity Act 2005) to use a vehicle under the licence ”.
- (3) In section 48 (licence not to be transferable, etc.)—
- (a) in subsection (2)—
- (i) for “or become a patient within the meaning of Part VII of the Mental Health Act 1983” substitute “ , or become a person who lacks capacity (within the meaning of the Mental Capacity Act 2005) to use a vehicle under the licence, ”, and
- (ii) in paragraph (a), for “became a patient” substitute “ became a person who lacked capacity in that respect ”, and
- (b) in subsection (5), for “a patient within the meaning of Part VII of the Mental Health Act 1983” substitute “ a person lacking capacity ”.

**Status:**

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**Changes to legislation:**

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