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**Changes to legislation:** There are currently no known outstanding effects for the Mental Capacity Act 2005, Cross Heading: Orders, determinations, etc.. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 5

#### TRANSITIONAL PROVISIONS AND SAVINGS

##### PART 2

#### REPEAL OF THE ENDURING POWERS OF ATTORNEY ACT 1985

##### *Orders, determinations, etc.*

- 11 (1) Any order or determination made, or other thing done, under the 1985 Act which has effect immediately before the commencement day continues to have effect despite the repeal of that Act.
- (2) In so far as any such order, determination or thing could have been made or done under Schedule 4 if it had then been in force—
- (a) it is to be treated as made or done under that Schedule, and
  - (b) the powers of variation and discharge exercisable by the court apply accordingly.
- (3) Any instrument registered under the 1985 Act is to be treated as having been registered by the Public Guardian under Schedule 4.
- (4) This paragraph is without prejudice to section 16 of the Interpretation Act 1978 (c. 30) (general savings on repeal).

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