

Status: Point in time view as at 01/10/2007.

Changes to legislation: Mental Capacity Act 2005, Cross Heading: Patronage (Benefices) Measure 1986 (No.3) is up to date with all changes known to be in force on or before 12 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 6

MINOR AND CONSEQUENTIAL AMENDMENTS

Patronage (Benefices) Measure 1986 (No.3)

- 34 (1) The Patronage (Benefices) Measure 1986 (No. 3) is amended as follows.
- (2) In section 5 (rights of patronage exercisable otherwise than by registered patron), after subsection (3) insert—
- “(3A) The reference in subsection (3) to a power of attorney does not include an enduring power of attorney or lasting power of attorney (within the meaning of the Mental Capacity Act 2005).”
- (3) In section 9 (information to be sent to designated officer when benefice becomes vacant), after subsection (5) insert—
- “(5A) Subsections (5B) and (5C) apply where the functions of a registered patron are, as a result of paragraph 10 of Schedule 2 to the Mental Capacity Act 2005 (patron's loss of capacity to discharge functions), to be discharged by an individual appointed by the Court of Protection.
- (5B) If the individual is a clerk in Holy Orders, subsection (5) applies to him as it applies to the registered patron.
- (5C) If the individual is not a clerk in Holy Orders, subsection (1) (other than paragraph (b)) applies to him as it applies to the registered patron.”

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