
Changes to legislation: There are currently no known outstanding effects for the Mental Capacity Act 2005, Paragraph 34. (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.”

Changes to legislation:

There are currently no known outstanding effects for the Mental Capacity Act 2005, Paragraph 34.