



Mental Capacity Act 2005

2005 CHAPTER 9

PART 1 **E+W**

PERSONS WHO LACK CAPACITY

Preliminary

8 **Expenditure** **E+W**

- (1) If an act to which section 5 applies involves expenditure, it is lawful for D—
 - (a) to pledge P's credit for the purpose of the expenditure, and
 - (b) to apply money in P's possession for meeting the expenditure.
- (2) If the expenditure is borne for P by D, it is lawful for D—
 - (a) to reimburse himself out of money in P's possession, or
 - (b) to be otherwise indemnified by P.
- (3) Subsections (1) and (2) do not affect any power under which (apart from those subsections) a person—
 - (a) has lawful control of P's money or other property, and
 - (b) has power to spend money for P's benefit.

Changes to legislation:

Mental Capacity Act 2005, Section 8 is up to date with all changes known to be in force on or before 03 September 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 58(4)(ca) inserted by [2023 c. 42 Sch. para. 10](#)
- Sch. 1 para. 4A inserted by [2023 c. 42 Sch. para. 3](#)
- Sch. 1 para. 10A and cross-heading inserted by [2023 c. 42 Sch. para. 6](#)
- Sch. 1 para. 13A inserted by [2023 c. 42 Sch. para. 7\(2\)](#)
- Sch. 1 para. 16(1A) inserted by [2023 c. 42 Sch. para. 8\(b\)](#)