

SCHEDULES

SCHEDULE 5

Property and affairs: supplementary provisions

Transfer of stock to appointee outside Northern Ireland

7.—(1) Sub-paragraph (2) applies if the court is satisfied—

- (a) that under the law prevailing in a place outside Northern Ireland a person (“M”) has been appointed to exercise powers in respect of the property or affairs of P on the ground (however formulated) that P lacks capacity to make decisions with respect to the management and administration of P’s property and affairs; and
- (b) that, having regard to the nature of the appointment and to the circumstances of the case, it is appropriate for the court to exercise its powers under this paragraph.

(2) The court may direct—

- (a) any stocks standing in the name of P, or
- (b) the right to receive dividends from the stocks,

to be transferred into M’s name or otherwise dealt with as required by M, and may give such directions as the court considers appropriate for dealing with accrued dividends from the stocks.

(3) In this paragraph “stocks” includes—

- (a) shares, and
- (b) any funds, annuity or security transferable in the books kept by any body corporate or unincorporated company or society or by an instrument of transfer either alone or accompanied by other formalities,

and “dividends” is to be construed accordingly.