

Status: This version of this provision is prospective.

Changes to legislation: *Mental Capacity Act (Northern Ireland) 2016, Section 278 is up to date with all changes known to be in force on or before 15 May 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) View outstanding changes*



2016 CHAPTER 18

PART 14

MISCELLANEOUS

Expenditure etc

PROSPECTIVE

Expenditure

278.—(1) This section applies where—

- (a) an act mentioned in section 9(1) is (because of compliance with section 9(1)(c) and (d) and any of the additional safeguard provisions that are relevant) an act to which section 9(2) applies; and
- (b) the act involves expenditure.

(2) 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.

(3) If the expenditure is borne for P by D, it is lawful for D—

- (a) to reimburse himself or herself out of money in P's possession; or
- (b) to be otherwise indemnified by P.

(4) Subsections (1) to (3) 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

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(b) has power to spend money for P's benefit.

(5) In this section “additional safeguard provisions” has the same meaning as in section 9.

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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. 285(2)(a)-(c) substituted for s. 285(2)(a)(b) by [2022 c. 18 \(N.I.\) Sch. 3 para. 77\(b\)](#)