

SCHEDULES

SCHEDULE 1

NOTIFICATION PRIOR TO REGISTRATION

PART I

DUTY TO GIVE NOTICE TO RELATIVES AND DONOR

Duty to give notice to relatives

2.—(1) Subject to the limitations contained in sub-paragraphs (2) to (4), persons of the following classes (referred to in this Order as “relatives”) are entitled to receive notice under paragraph 1—

- (a) the donor's husband or wife^{F1} or civil partner];
- (b) the donor's children;
- (c) the donor's parents;
- (d) the donor's brothers and sisters, whether of the whole or half blood;
- (e) the widow or widower^{F1} or surviving civil partner] of a child of the donor;
- (f) the donor's grandchildren;
- (g) the children of the donor's brothers and sisters of the whole blood;
- (h) the children of the donor's brothers and sisters of the half blood;
- (i) the donor's uncles and aunts of the whole blood; and
- (j) the children of the donor's uncles and aunts of the whole blood.

(2) A person is not entitled to receive notice under paragraph 1 if—

- (a) his name or address is not known to the attorney and cannot be reasonably ascertained by him; or
- (b) the attorney has reason to believe that he has not attained eighteen years or is mentally incapable.

(3) Except where sub-paragraph (4) applies, no more than three persons are entitled to receive notice under paragraph 1 and, in determining the persons who are so entitled, persons falling within class (a) of sub-paragraph (1) are to be preferred to persons falling within class (b) of that sub-paragraph, persons falling within class (b) are to be preferred to persons falling within class (c) of that sub-paragraph; and so on.

(4) Notwithstanding the limit of three specified in sub-paragraph (3), where—

- (a) there is more than one person falling within any of classes (a) to (j) of sub-paragraph (1), and
- (b) at least one of those persons would be entitled to receive notice under paragraph 1,

then, subject to sub-paragraph (2), all the persons falling within that class are entitled to receive notice under paragraph 1.

Changes to legislation: There are currently no known outstanding effects for the The Enduring Powers of Attorney (Northern Ireland) Order 1987, Paragraph 2. (See end of Document for details)

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