

SCHEDULES

SCHEDULE 6

MINOR AND CONSEQUENTIAL AMENDMENTS

Matrimonial Causes Act 1973 (c. 18)

- 19 In section 40 of the Matrimonial Causes Act 1973 (c. 18) (payments to person who lacks capacity) (which becomes subsection (1))—
- (a) for the words from “is incapable” to “affairs” substitute “(“P”) lacks capacity (within the meaning of the Mental Capacity Act 2005) in relation to the provisions of the order”,
 - (b) for “that person under Part VIII of that Act” substitute “P under that Act”,
 - (c) for the words from “such persons” to the end substitute “such person (“D”) as it may direct”, and
 - (d) at the end insert—
 - “(2) In carrying out any functions of his in relation to an order made under subsection (1), D must act in P’s best interests (within the meaning of that Act).”.