

## SCHEDULES

### SCHEDULE 6

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Trusts of Land and Appointment of Trustees Act 1996 (c. 47)*

- 42 (1) The Trusts of Land and Appointment of Trustees Act 1996 (c. 47) is amended as follows.
- (2) In section 9 (delegation by trustees), in subsection (6), for the words from “an enduring power” to the end substitute “an enduring power of attorney or lasting power of attorney within the meaning of the Mental Capacity Act 2005”.
- (3) In section 20 (the title to which becomes “Appointment of substitute for trustee who lacks capacity”)—
- (a) in subsection (1)(a), for “is incapable by reason of mental disorder of exercising” substitute “lacks capacity (within the meaning of the Mental Capacity Act 2005) to exercise”, and
  - (b) in subsection (2)—
    - (i) for paragraph (a) substitute—

“(a) a deputy appointed for the trustee by the Court of Protection,”
    - (ii) in paragraph (b), for the words from “a power of attorney” to the end substitute “an enduring power of attorney or lasting power of attorney registered under the Mental Capacity Act 2005”, and
    - (iii) in paragraph (c), for the words from “the authority” to the end substitute “the Court of Protection”.