

## STATUTORY INSTRUMENTS

# 2007 No. 1253

## The Lasting Powers of Attorney, Enduring Powers of Attorney and Public Guardian Regulations 2007

### PART 4

#### FUNCTIONS OF THE PUBLIC GUARDIAN

##### *Deputies [F1 and Guardians]*

##### **Right of deputy [F1 or guardian] to require review of decisions made by the Public Guardian**

**42.—(1)** A deputy [F2 or a guardian] may require the Public Guardian to reconsider any decision he has made in relation to the deputy [F3 or the guardian].

(2) The right under paragraph (1) is exercisable by giving notice of exercise of the right to the Public Guardian before the end of the period of 14 days beginning with the date on which notice of the decision is given to the deputy [F4 or the guardian].

(3) The notice of exercise of the right must—

- (a) state the grounds on which reconsideration is required; and
- (b) contain or be accompanied by any relevant information or documents.

(4) At any time after receiving the notice and before reconsidering the decision to which it relates, the Public Guardian may require the deputy [F5 or the guardian] to provide him with such further information, or to produce such documents, as he reasonably considers necessary to enable him to reconsider the matter.

(5) The Public Guardian must give to the deputy [F6 or the guardian]—

- (a) written notice of his decision on reconsideration, and
- (b) if he upholds the previous decision, a statement of his reasons.

##### **Textual Amendments**

- F1** Words in reg. 42 heading inserted (31.7.2019) by [The Lasting Powers of Attorney, Enduring Powers of Attorney and Public Guardian \(Amendment\) Regulations 2019 \(S.I. 2019/1030\)](#), regs. 1, **12(a)**
- F2** Words in reg. 42(1) inserted (31.7.2019) by [The Lasting Powers of Attorney, Enduring Powers of Attorney and Public Guardian \(Amendment\) Regulations 2019 \(S.I. 2019/1030\)](#), regs. 1, **12(b)(i)**
- F3** Words in reg. 42(1) inserted (31.7.2019) by [The Lasting Powers of Attorney, Enduring Powers of Attorney and Public Guardian \(Amendment\) Regulations 2019 \(S.I. 2019/1030\)](#), regs. 1, **12(b)(ii)**
- F4** Words in reg. 42(2) inserted (31.7.2019) by [The Lasting Powers of Attorney, Enduring Powers of Attorney and Public Guardian \(Amendment\) Regulations 2019 \(S.I. 2019/1030\)](#), regs. 1, **12(c)**
- F5** Words in reg. 42(4) inserted (31.7.2019) by [The Lasting Powers of Attorney, Enduring Powers of Attorney and Public Guardian \(Amendment\) Regulations 2019 \(S.I. 2019/1030\)](#), regs. 1, **12(c)**

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**Changes to legislation:** *There are currently no known outstanding effects for the The Lasting Powers of Attorney, Enduring Powers of Attorney and Public Guardian Regulations 2007, Section 42. (See end of Document for details)*

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**F6** Words in reg. 42(5) inserted (31.7.2019) by [The Lasting Powers of Attorney, Enduring Powers of Attorney and Public Guardian \(Amendment\) Regulations 2019 \(S.I. 2019/1030\)](#), regs. 1, **12(c)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Lasting Powers of Attorney, Enduring Powers of Attorney and Public Guardian Regulations 2007, Section 42.