

Powers of Attorney Act 1996 which is an act to provide for powers of attorney to operate when the donor of the power is or is becoming mentally incapable and to amend in other respects the law relating to powers of attorney generally.

Paragraph 3(1) of the First Schedule of the Powers of Attorney Act 1996 is amended—

Subject to subparagraph (2), before making an application for registration* the attorney shall give notice of intention to do so to the donor.

3. (1) Subject to the limitations contained in subparagraphs (2) to (4), persons of the following classes are entitled to receive notice under paragraph 2 (1) (c):

- (a) the donor's husband or wife;
- (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 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 qualified cohabitant, within the meaning of section 172 of the *Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010*.]~*

- If the attorney under an enduring power has reason to believe that the donor is or is becoming mentally incapable, the attorney shall, as soon as practicable, make an application to the court for the registration of the instrument creating the power.

[] Words in brackets substituted by section 205 of the *Civil Partnership and Certain Right and Obligations of Cohabitants Act 2010