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CENTRAL PROVIDENT FUND ACT 1953
(SECTIONS 2(4) AND 77(1))

CENTRAL PROVIDENT FUND
(MENTAL CAPACITY)
REGULATIONS 2010

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation
 2. Application of Mental Capacity Act 2008 to member
 3. Application of Mental Capacity Act 2008 to nominee of member
 4. Application of Mental Capacity Act 2008 to spouse of member
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[1 March 2010]

Citation

1. These Regulations are the Central Provident Fund (Mental Capacity) Regulations 2010.

Application of Mental Capacity Act 2008 to member

2. Except as otherwise expressly provided in any other subsidiary legislation made under the Act, where a member lacks capacity within the meaning of section 4 of the Mental Capacity Act 2008, any thing which the member might have done, or which would have applied to the member, under any provision of the Act, if the member had such capacity, and any thing which would have applied to the member in any event under any provision of the Act, may likewise be done by, or will likewise apply to —

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- (a) a deputy appointed or deemed to be appointed for the member by the court under the Mental Capacity Act 2008 with power in relation to the member for the purposes of the Act; or
- (b) a donee under a lasting power of attorney registered under the Mental Capacity Act 2008 with power in relation to the member for the purposes of the Act.

Application of Mental Capacity Act 2008 to nominee of member

3. Except as otherwise expressly provided in any other subsidiary legislation made under the Act, where a person nominated by a member under section 25(1) of the Act lacks capacity within the meaning of section 4 of the Mental Capacity Act 2008, any thing which the person might have done, or which would have applied to the person, under any provision of the Act, if the person had such capacity, and any thing which would have applied to the person in any event under any provision of the Act, may likewise be done by, or will likewise apply to —

- (a) a deputy appointed or deemed to be appointed for the person by the court under the Mental Capacity Act 2008 with power in relation to the person for the purposes of the Act; or
- (b) a donee under a lasting power of attorney registered under the Mental Capacity Act 2008 with power in relation to the person for the purposes of the Act.

Application of Mental Capacity Act 2008 to spouse of member

4. Except as otherwise expressly provided in any other subsidiary legislation made under the Act, where the spouse of a member lacks capacity within the meaning of section 4 of the Mental Capacity Act 2008, any thing which the spouse might have done, or which would have applied to the spouse, under any provision of the Act, if the spouse had such capacity, and any thing which would have applied to the spouse in any event under any provision of the Act, may likewise be done by, or will likewise apply to —

- (a) a deputy appointed or deemed to be appointed for the spouse by the court under the Mental Capacity Act 2008 with power in relation to the spouse for the purposes of the Act; or
- (b) a donee under a lasting power of attorney registered under the Mental Capacity Act 2008 with power in relation to the spouse for the purposes of the Act.