**Revised Regulations of Anguilla: D8-2**

DEPENDENT ADULTS ACT (R.S.A. C. D8)

# APPROVAL OF FOREIGN ORDER REGULATIONS

Note: These Regulations are enabled under section 48(2) of the Dependent Adults Act, R.S.A. c. D8.

**Approval of foreign order**

**1.** (1) Order Number 11732358 of the United Kingdom Court of Protection made in the matter of John Lascelles Lucas by district Judge Alex Ralton on 3rd November 2009 appointing Caroline Sarah Vallance as deputy for property and affairs, hereafter referred to as the "Order", is approved.

(2) The Order is reproduced in the Schedule.

**Citation**

**2.** These Regulations may be cited as the Approval of Foreign Order Regulations, Revised Regulations of Anguilla, D8-2.

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**SCHEDULE**

(Section 1)

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**COURT OF PROTECTION**

**MENTAL CAPACITY ACT 2005**

COURT OF PROTECTION
ENTERED
12 NOV 2009

**No. 11732358**

**In the matter of**
**JOHN LASCELLES LUCAS**

## ORDER APPOINTING DEPUTY FOR PROPERTY AND AFFAIRS

**made by** District Judge Alex Ralton
**at** Archway Tower, 2 Junction Road, London, N19 5SZ
**on** 3rd November 2009

**WHEREAS**

(1) An application has been made under the Mental Capacity Act 2005.

(2) The court is satisfied that John Lascelles Lucas is unable to make various decisions for himself in relation to a matter or matters concerning his property and affairs because of an impairment of, or a disturbance in the functioning of, his mind or brain.

(3) The court is satisfied that the purpose for which the order is needed cannot be as effectively achieved in a way that is less restrictive of his rights and freedom of action.

(4) The Court made an interim deputyship order on 10th July 2009.

(5) The Court has considered the representations made in correspondence by or on behalf of John Lascelles Lucas.

**IT IS ORDERED that:**

**1. Appointment of deputy**

(a) This order replaces the order of 10th July 2009.

(b) Caroline Sarah Vallance of Owlacombe Farm, Bickington, Nr Newton Abbot, Devon TQ12 6LG is appointed as deputy ("the deputy") forthwith to make decisions on behalf of John Lascelles Lucas that he is unable to make for himself in relation to his property and affairs subject to any conditions or restrictions set out in this order.

(c) The appointment will last until further order.

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(d) The deputy must apply the principles set out in section 1 of the Mental Capacity Act 2005 and have regard to the guidance in the Code of Practice to the Act.

## 2. Authority of deputy

(a) The court confers general authority on the deputy to take possession or control of the property and affairs of John Lascelles Lucas and to exercise the same powers of management and investment as he has as beneficial owner, subject to the terms and conditions set out in this order.

(b) The deputy may make provision for the needs of anyone who is related to or connected with John Lascelles Lucas, if he provided for or might be expected to provide for that person's needs, by doing whatever he did or might reasonably be expected to do to meet those needs.

(c) The deputy may (without obtaining any further authority from the court) dispose of money or property of John Lascelles Lucas by way of gift to any charity to which he made or might have been expected to make gifts and on customary occasions to persons who are related to or connected with him, provided that the value of each such gift is not unreasonable having regard to all the circumstances and, in particular, the size of his estate.

(d) The deputy shall not without further order of the Court, dispose of or otherwise deal with John Lascelles Lucas legal and or beneficial in interest in

i. 39 Lower Belgrave Street
ii. 112 St Martin's Lane
iii. 19 Eastbury road
iv. Flat 831 Silvretta House, Switzerland
v. John Lascelles Lucas shares in 41/43 Maddox Street Limited and 73/77 Oxford Street Limited

(e) The deputy is authorised to take such steps that are necessary in the name and on behalf of John Lascelles Lucas in respect of the companies trading as Carroll Hotel 206 W341 Ltd and Corito Trading Co Ltd to protect his interest in the same.

(f) The Deputy is authorised subject to taking legal advice on merit to compromise such claims that have been brought or which are brought against John Lascelles Lucas arising out of his property and chattels dealings.

(g) For the purpose of giving effect to any decision the deputy may execute or sign any necessary deeds or documents.

## 3. Reports

(a) The deputy is required to keep statements, vouchers, receipts and other financial records

(b) The deputy must submit an annual report to the Public Guardian.

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## 4. Costs and Expenses

(a) The deputy is entitled to be reimbursed for reasonable expenses incurred provided they are in proportion to the size of the estate of John Lascelles Lucas and the functions performed by the deputy.

(b) The deputy is authorised to pay Trevor Lyttleton, Solicitor fixed costs for this application, or where the amount exceeds the fixed costs allowed, the deputy is authorised to agree the costs for making this application and to pay them from the funds belonging to John Lascelles Lucas. In default of agreement, or if the deputy or the solicitors would prefer the costs to be assessed, this order is to be treated as authority to the Supreme Court Costs Office to carry out a detailed assessment on the standard basis.

## 5. Security

The deputy is required to maintain security in the sum of £600,000 in accordance with the standard requirements as to the giving of security.

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