

**Changes to legislation:** There are currently no known outstanding effects for the Adults with Incapacity (Scotland) Act 2000, Paragraph 14. (See end of Document for details)

### SCHEDULE 3 JURISDICTION AND PRIVATE INTERNATIONAL LAW

#### Commencement Information

- II** Sch. 3 wholly in force at 4.11.2003; Sch. 3 not in force at Royal Assent see s. 89(2); Sch. 3 in force for specified purposes at 2.4.2001 by S.S.I. 2001/81, art. 2, Sch. 1; Sch. 3 in force in so far as not already in force at 4.11.2003 by S.S.I. 2003/516, art. 2

14 In this schedule—

“the Convention” means the Hague Convention of 13 January 2000 on the International Protection of Adults; a “measure for the personal welfare or protection of the property” of an adult with incapacity includes any order, direction or decision effecting or relating to—

- (a) the determination of the incapacity and the institution of appropriate measures of protection;
- (b) the placing of the adult under the protection of a judicial or administrative authority;
- (c) guardianship, curatorship or analogous institutions;
- (d) the appointment and functions of any person or body having charge of the adult’s person or property or otherwise representing the adult;
- (e) the placement of the adult in an establishment or other place where the personal welfare of the adult is safeguarded;
- (f) the administration, conservation or disposal of the adult’s property; or
- (g) the authorisation of a specific intervention for the personal welfare or protection of the property of the adult; the “ratification date” means the date when the Convention is ratified as respects Scotland; the “Scottish Central Authority” means—
  - (a) an authority designated under Article 28 of the Convention for the purposes of acting as such; or
  - (b) if no authority has been so designated any authority appointed by the Scottish Ministers for the purposes of carrying out the functions to be carried out under this schedule by the Scottish Central Authority;

the “Scottish judicial and administrative authorities” means the courts having functions under this Act and the Public Guardian, the Mental Welfare Commission, local authorities and supervisory bodies.

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