



# Adults with Incapacity (Scotland) Act 2000

2000 asp 4

## PART 2

### CONTINUING POWERS OF ATTORNEY AND WELFARE POWERS OF ATTORNEY

#### 22 Notification to Public Guardian

- (1) After a document conferring a continuing or welfare power of attorney has been registered under section 19, the attorney shall notify the Public Guardian—
- (a) of any change in his address;
  - (b) of any change in the address of the granter of the power of attorney;
  - (c) of the death of the granter of the power of attorney; or
  - (d) of any other event which results in the termination of the power of attorney,
- and the Public Guardian shall enter prescribed particulars in the register maintained by him under section 6(2)(b)(i) or (ii) as the case may be and shall notify the granter (in the case of an event mentioned in paragraph (a) or (d)) and, where the power of attorney relates to the personal welfare of the adult, both the local authority and <sup>F1</sup> . . . the Mental Welfare Commission.
- (2) If, after a document conferring a continuing or welfare power of attorney has been registered under section 19, the attorney dies, his personal representatives shall, if aware of the existence of the power of attorney, notify the Public Guardian who shall enter prescribed particulars in the register maintained by him under section 6(2)(b) (i) or (ii) as the case may be, and shall notify the granter and, where the power of attorney relates to the personal welfare of the adult, both the local authority and <sup>F2</sup> . . . the Mental Welfare Commission.

#### Textual Amendments

- F1** Words in s. 22 repealed (5.10.2007) by [Adult Support and Protection \(Scotland\) Act 2007 \(asp 10\)](#) {ss. 57(6)}, 79; [S.S.I. 2007/334, art. 2\(b\), Sch. 2](#) (with savings in arts. 4-6)
- F2** Words in s. 22 repealed (5.10.2007) by [Adult Support and Protection \(Scotland\) Act 2007 \(asp 10\)](#) {ss. 57(6)}, 79; [S.S.I. 2007/334, art. 2\(b\), Sch. 2](#) (with savings in arts. 4-6)

**Changes to legislation:**

There are currently no known outstanding effects for the Adults with Incapacity (Scotland) Act 2000, Section 22.