



Adults with Incapacity (Scotland) Act 2000

2000 asp 4

[^{F1}PART 3

ACCOUNTS AND FUNDS

[^{F1}Fundholders

Textual Amendments

- F1** Pt. 3 substituted (1.4.2008) by [Adult Support and Protection \(Scotland\) Act 2007 \(asp 10\)](#), ss. 58, 79(3); S.S.I. 2008/49, art. 2(1) (with arts. 34)

28 Fundholders of adult's current account and adult's second account

- (1) The fundholder of an adult's current account may act on the instructions of a withdrawer to the extent authorised by the withdrawal certificate issued to the withdrawer.
- (2) The fundholder of an adult's current account presented with a withdrawal certificate must not allow any operations to be carried out on that account other than those carried out in accordance with the certificate by the withdrawer.
- (3) The fundholder of an adult's current account or an adult's second account presented with a withdrawal certificate may provide the withdrawer with a copy of any statement or other correspondence issued by the fundholder to the adult during the period when the withdrawal certificate is valid.

28A Fundholder of original account

The fundholder of an original account may act on the instructions of a withdrawer to the extent authorised by the certificate issued to the withdrawer under section 26G(4).

Status: Point in time view as at 30/09/2020.

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

29 Fundholder's liability

The fundholder of an account mentioned in section 28 or 28A is liable to the adult for any funds removed from the account under that section at any time when it was aware that the withdrawer's authority had been terminated or suspended by the Public Guardian under section 31A but, on meeting such liability, the fundholder of the account has a right of relief against the withdrawer.]

Status:

Point in time view as at 30/09/2020.

Changes to legislation:

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