

2001 No. 75

ADULTS WITH INCAPACITY

**The Adults with Incapacity (Public Guardian's Fees)
(Scotland) Regulations 2001**

<i>Made</i>	<i>7th March 2001</i>
<i>Laid before the Scottish Parliament</i>	<i>8th March 2001</i>
<i>Coming into force</i>	<i>2nd April 2001</i>

The Scottish Ministers, in exercise of the powers conferred by section 7(2) of the Adults with Incapacity (Scotland) Act 2000(a) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Adults with Incapacity (Public Guardian's Fees) (Scotland) Regulations 2001 and shall come into force on 2nd April 2001.

(2) In these Regulations, “the Act” means the Adults with Incapacity (Scotland) Act 2000 and references to sections are references to sections in that Act.

Fees payable to Public Guardian

2. The fees payable to the Public Guardian in respect of the matters specified in column 1 of the Schedule shall be the fees specified in relation to those matters in column 2 of that Schedule.

JAMES R WALLACE
A member of the Scottish Executive

St Andrew's House,
Edinburgh
7th March 2001

(a) 2000 asp 4. See section 87(1) for the definition of “prescribe” and section 86(1) as to power to make regulations.

SCHEDULE

TABLE OF FEES PAYABLE TO PUBLIC GUARDIAN

Column 1	Column 2
1. Search of registers under section 6(2)(b) of the Act (per half hour or any part thereof)	£5.00
2. Registration of a document conferring a continuing or welfare power of attorney under section 19 of the Act	£35.00
3. Provision of a duplicate or replacement of a certificate of registration issued under section 19(2) of the Act	£10.00
4. Audit of accounts submitted by a continuing attorney under section 20(2)(b) of the Act	£75.00
5. Processing of an application for authorisation to intromit with funds under section 26 of the Act, and where such an application is granted, the issue of a certificate of authority to the withdrawer	£35.00
6. Provision of a duplicate or replacement of a certificate of authority issued under section 26(4) of the Act	£10.00
7. Provision of first copy–	
(a) each of first 10 pages	£1.00
(b) each page after first 10	£0.30
8. Subsequent copies: each page	£0.30

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set out the fees for certain services provided by the Public Guardian in connection with the Adults with Incapacity (Scotland) Act 2000 (“the Act”). The Schedule to the Regulations introduces charges for the registration of certain documents, the issue of certain certificates, and other miscellaneous charges.

The fees chargeable are as follows:–

- (1) The fee for a search of the Public Guardian’s registers under section 6 of the Act shall be £5 per half hour or any part thereof.
- (2) The fee for the registration of a document conferring a continuing or welfare power of attorney under section 19 of the Act shall be £35.
- (3) The fee for the provision of a duplicate or replacement of a certificate issued under that section shall be £10.
- (4) The fee for an audit by the Public Guardian of an account submitted by a continuing attorney shall be £75.
- (5) The fee for processing an application for authorisation to intromit with funds under section 26 of the Act, including the issue of a certificate of authority to a withdrawer where such an application is granted, shall be £35.
- (6) The fee for the provision of a duplicate or replacement of a certificate issued under that section shall be £10.
- (7) The fee for copying shall be £1 per page for each of the first 10 pages of the first copy, then £0.30 per page after the first 10.
- (8) The fee for each subsequent copy shall be £0.30 per page.

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