2002 No. 96

ADULTS WITH INCAPACITY

The Adults with Incapacity (Reports in Relation to Guardianship and Intervention Orders) (Scotland) Regulations 2002

Made 5th March 2002

Laid before the Scottish Parliament 7th March 2002

Coming into force 1st April 2002

The Scottish Ministers, in exercise of the powers conferred by sections 57(3) and 86(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 and commencement

1. These Regulations may be cited as the Adults with Incapacity (Reports in Relation to Guardianship and Intervention Orders) (Scotland) Regulations 2002 and shall come into force on 1st April 2002.

Interpretation

- 2. Any reference in these Regulations–
 - (a) to a numbered section is a reference to the section bearing that number in the Adults with Incapacity (Scotland) Act 2000; and
 - (b) to a numbered Schedule is a reference to the Schedule bearing that number in these Regulations.

Report from medical practitioner

- **3.** The reports by medical practitioners under section 57(3)(a) in relation to an application for-
 - (a) a guardianship order;
 - (b) renewal of a guardianship order; or
 - (c) an intervention order,

shall be in the form set out in Schedule 1.

Report from mental health officer

- **4.** A report by the mental health officer under section 57(3)(b) in relation to an application for–
 - (a) a guardianship order shall be in the form set out in Schedule 2;
 - (b) renewal of a guardianship order shall be in the form set out in Schedule 3; and
 - (c) an intervention order shall be in the form set out in Schedule 4.

⁽a) 2000 asp 4; see section 87(1) for the definition of "prescribed" and section 86(1) as to the power to make regulations. Sections 53(4) and 60(3) apply section 57(3) to intervention orders and renewals of guardianship orders respectively.

Report from chief social work officer

- **5.** A report by the chief social work officer under section 57(3)(b) in relation to an application for—
 - (a) a guardianship order shall be in the form set out in Schedule 5;
 - (b) renewal of a guardianship order shall be in the form set out in Schedule 6; and
 - (c) an intervention order shall be in the form set out in Schedule 7.

Report from person with sufficient knowledge

- **6.** A report, by a person with sufficient knowledge as to the matters referred to in section 57(3)(b)(i) and (ii), under section 57(3)(c) in relation to an application for—
 - (a) a guardianship order shall be in the form set out in Schedule 8;
 - (b) renewal of a guardianship order shall be in the form set out in Schedule 9; and
 - (c) an intervention order shall be in the form set out in Schedule 10.

JAMES R WALLACE
A member of the Scottish Executive

St Andrew's House, Edinburgh 5th March 2002

Report of incapacity to accompany

application for guardianship* application for renewal of guardianship* application for intervention order* AWI[1]
ADULTS WITH INCAPACITY
(SCOTLAND) ACT 2000
Section 57(3)(a)

PART A	DETAILS OF 1	REPORT WRIT	TER AND ADULT	•
I				(name)
being a medical pract	titioner with the fo	llowing profession	onal address:	
				(state full postal address for contact)
Telephone		E-mail		
[complete the following	ing box if applicab	le ¹ ; otherwise, a	lelete]	
and being approved b	by the			Health Board
for the purposes of s experience in the dia				having special
hereby confirm that I	examined and ass	essed the followi	ing adult ("the adul	t ")
Name				
Residing at				(state full postal address)
Date of birth				
On		((give date of examin	ation and assessment)

^{*} delete the two which do not apply

¹ Where the incapacity is by reason of mental disorder, one of the medical practitioners must be approved for the purposes of section 20 of the 1984 Act as having special experience in the diagnosis or treatment of mental disorder (section 57 (3)(a) of the Act)

PART B PURPOSE OF EXAMINATION AND ASSESSMENT

The examination and assessment was in connection with a proposed application for (tick whichever applies)

A guard	ianship order*/renewal of guardianship order*/an intervention order			
a)	with power over personal welfare			
b)	with power over property and/or financial affairs			
c)	with power over personal welfare, property and/or financial affairs.			
Name o	f applicant or person requesting report			
Name(s) of person or persons nominated in application (if known)				
PART	FINDINGS OF EXAMINATION AND ASSESSMENT			
has	pasis of my examination and assessment I am of the opinion that the adult named in I	Part A		
	a for whichever of the following applies and add comments on nature			
a)	Mental disorder ²			
Nature				
And /oı				
b)	Inability to communicate because of physical disability			
-,				
Nature				

^{*} delete the two which do not apply

² mental disorder means mental illness (including personality disorder) or mental handicap however caused or manifested; but an adult shall not be treated as suffering from mental disorder by reason only of promiscuity or other immoral conduct, sexual deviancy, dependence on alcohol or drugs, or acting as no prudent person would act.

I am of the opinion that the condition mentioned in Part C has impaired the capacity of the adult named in Part A to make decisions about or to act to safeguard or promote his/her interests in his/her property, financial affairs or personal welfare in relation to the matters covered in the proposed application. The reason for my opinion is given below.

Please indicate the findings of your examination and assessment, so far as they relate to the adult's capacity in relation to the matters which are the subject of the application.
cupacity in retainors to the mainers when are the subject of the application.
Please indicate the likely duration of the incapacity
Trease material the tikely duration of the incupacity
Please indicate the extent to which you have been able to communicate with the adult,
The second control of the control of
Please indicate the extent to which you have been able to consult the nearest relative, primary
carer, and anyone else having an interest in, or knowledge of, the adult.

PART D	DECLARATION OF INTEREST		
Delete (a) or (b)	(a) I am not related to the adult		
	(b) I am related to the adult being his /her (state relationship)		
	AND		
Delete (c) or (d)	(c) I have no pecuniary interest		
	in the appointment of a guardian or guardians*		
	in the renewal of guardianship*		
	in the intervention order sought*		
	(d) I have a pecuniary interest		
	in the appointment of a guardian or guardians*		
	in the renewal of guardianship*		
	in the intervention order sought*		
	The nature and extent of that interest is		
C: 4 ³			
Signed ³			
Date			

^{*} delete the two which do not apply.

* Please note that the application and accompanying reports will be erved on interested parties.

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Mental Health Officer's report to accompany application for guardianship

relating to personal welfare *
personal welfare and property and/or financial affairs *

AWI[2] ADULTS WITH INCAPACITY (SCOTLAND) ACT 2000 Section 57(3)(b)

PART A	AUTHOR	R OF THE	REPORT		
	I				
(Give full name of lo authority for whom y are acting in this c	ocal you	am a Menta	al Health Officer appointed by		
and work addres		ess			
	Tel N	No.			
	E-ma	uil			
PART B	THE ADI	ULT			
On			(Give date of	interview and as	sessment of the adult)
,	I interviev	ved and ass	sessed the adult w	ho is the subject	of this application
					(name)
(Give full name, address and date of birth of the adult, as	of				
on the application)					(address)
[(DOB)	
PART C	THE API	PLICANT			
This report is written i	in relation t	the applic	cation by		
(state name of applica	ant)				

^{*} Delete the one which does not apply

PART D

APPROPRIATENESS OF THE ORDER APPLIED FOR

Please state your opinion in terms of the general principles as set out in section (1) of the Act where possible. Please comment fully on the adult's social circumstances.

I have read the application, have taken note of the powers sought and the period of guardianship being applied for. My opinion as to the appropriateness of the order sought is as follows:-

1	Will the proposed order (a) benefit the adult and (b) will the benefit be unable to be reasonably achieved without the order?
	(a) Describe how the proposed order will benefit the adult.
	(b) Describe how the benefit will be unable to be reasonably achieved without the order.
L	
2	Will the proposed order be the least restrictive option in relation to the freedom of the adult, consistent with the purpose of the order?
	(Describe any alternatives considered. These may include a measure outwith the 2000 Act, a different measure under the 2000 Act or an order containing less restrictive powers. State whether you support the terms of the order sought or support it subject to amendment.)

3 What are the past and present wishes and feelings of the adult?

State
(a) the past and present wishes and feelings of the adult about the order sought and the powers requested, so far as you have been able to ascertain them.
(b) If you have not been able to ascertain the adult's wishes and feelings, please explain the barriers to this.
(c) describe the efforts you made to overcome these barriers.

What are the views of the nearest relative of the adult?	
Name:	
Relationship:	
State	
section relates to the relative's own vie	but the order sought if you have obtained these. Note this ews. Information which the relative wishes to provide hould be included (and attributed) in section 3(a).
(b) Do you agree with these views?	
	es, why was it not reasonable or practicable to do so?) consulted where an order to that effect has been made

5	What are the views of the primary carer of the adult?		
	Name:		
]	Relationship:		
,	State		
	(a) the views of the primary carer about t	he order sought if you have obtained these.	
	(b) do you agree with these views?		
	(b) do you agree with these views:		
	(c) If you have not obtained these views,	why was it not reasonable or practicable to do so?	

on	ıplete if applicable	
,	What are the views of any guardian, continuing attorney or welfare attorney?	
Name:		
р	pointment (e.g. financial guardian):	
S	State	
(;	a) the views of such a person about the order sought if you have obtained these.	
(1	b) Do you agree with these views?	
	c) If you have not obtained these views, why was it not reasonable or practicable to do so? Continue on a separate sheet if there is more than one such person).	

or	nplete if applicable	
7	What are the views of any other relevan	t person which have been made known to you?
	Name:	
(Connection to adult:	
	State (a) the views of any other relevant person	which have been made known to you and which are
1	relevant to the order sought.	ntinue on a separate sheet if there is more than one such
8	Are there any other matters which seem	to you to be relevant?

PART E PROPOSED GUARDIAN'S SUITABILITY
[Do not complete if the proposed guardian is the Chief Social Work Officer.]

(If there is more than one proposed guardian with personal welfare powers please duplicate Part E and complete for each nominated person.)		
Name of proposed guardian:		
Relationship to adult:		
Sections 59(3) & (4) of the Act require the sheriff to consider certain factors before appointing an individual as a guardian; comment on the suitability of the person nominated under the headings in Part E where possible. Refer as appropriate to discussion with him or her.	My opinion as to the suitability of the person nominated is as follows:-	
1.	Awareness of the adult's circumstances and conditions and of the needs arising from such circumstances and conditions.	
2.	Awareness of the functions of a guardian.	

	Accessibility to adult and primary carer.
	Ability to carry out the functions of a guardian with personal welfare powers.
	Any likely conflict of interest between the guardian and the adult. (NB: Being a close relative or living in the same household as the adult does <i>not</i> on its own count as conflict of interest.)
,	
	Any undue concentration of power which is likely to arise in the proposed guardian over the adult. (NB: Being a close relative or living in the same household as the adult does <i>not</i> on its own count as undue concentration of power.)
	count as and concentration of power.)

7.	Any adverse effects which the appointment of the proposed guardian would have on the interests of the adult.
0	A
8.	Any other matters which seem to you to be relevant ¹ .
8.	Any other matters which seem to you to be relevant ¹ .
8.	Any other matters which seem to you to be relevant ¹ .
8.	Any other matters which seem to you to be relevant ¹ .
8.	Any other matters which seem to you to be relevant ¹ .
8.	Any other matters which seem to you to be relevant ¹ .

Where an application relates to both welfare and financial or property matters you should comment on the extent to which you have been able to cover the financial and/or property aspects of the application.

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PART F: CONCLUSION

My general conclusions on the appropriateness of the order sought and the suitability of the proposed guardian(s) are as follows:				
DADTE C				
PART G:	DECLARATION OF INTEREST			
Delete (a) or (b)	(a) I am not related to the adult			
	(b) I am related to the adult being his /her			
	(state relationship)			
	AND			
Delete (c) or (d)	(c) I have no pecuniary interest in the appointment of a guardian or guardians			
	(d) I have a pecuniary interest in the appointment of a guardian or guardians			
	The nature and extent of that interest is			
Signed ²				
Dated				

² Please note that the application and accompanying reports will be served on interested parties.

Mental Health Officer's report to accompany application for renewal of guardianship relating to personal welfare* personal welfare and property and /or financial affairs*

AWI [3] Adults with Incapacity (Scotland) Act 2000 Section 57(3)(b)

PART A	AU	THOR OF T	гне і	REPC	RT				
	I								
(Give full name, loca authority for whom you are acting in this case and work address				a Meicer ap		Health end by			
and work as	duress.)	Address						_	
		Tel No							
		E-mail							
PART B	ТН	E ADULT							
On] (Gi	ve dat	e of inte	ervie	ew and assessi	ment of the adult)
	I interv	iewed and ass	sessed	the a	dult w	ho is th	ie su	bject of this a	pplication
									(name)
(Give full name, address and date of birth of	of								
the adult, as on the application)									(address)
								(DOB)	
PART C	ТН	E APPLICA	NT						
This report is writ	tten in rel	lation to the a	pplica	ation b	ру				
(state name of ap	plicant)								

^{*} Delete the one which does not apply

PART D

APPROPRIATENESS OF THE ORDER APPLIED FOR

Please state your opinion in terms of the general principles as set out in section (1) of the Act where possible. Please comment fully on the adult's social circumstances I have read the application, have taken note of the powers sought and the renewal of guardianship being applied for. My opinion as to the appropriateness of the order sought is as follows:-

L	Will the proposed order (a) benefit the adult and (b) will the benefit be unable to be reasonably without the order?
	(a) Describe how the proposed order will benefit the adult.
	(b) Describe how the benefit will be unable to be reasonably achieved without the order.
2	Will the proposed order be the least restrictive option in relation to the freedom of the adult, consistent with the purpose of the order?
	(Describe any alternatives considered. These may include a measure outwith the 2000 Act, a different measure under the 2000 Act or an order containing less restrictive powers. State whether you support the terms of the order sought or support it subject to amendment.)

3	What are the past and present wishes and feelings of the adult?		
Г			
	State		
	(a) the past and present wishes and feelings of the adult about the order sought and the powers requested, so far as you have been able to ascertain them.		
	(b) If you have not been able to esceptain the adult's wishes and feelings, places explain the		
	(b) If you have not been able to ascertain the adult's wishes and feelings, please explain the barriers to this.		
	(c) describe the efforts you made to overcome these barriers.		
L			

What are the views of the nearest relative of the adult?		
Name:		
Relationship:		
State		
section relates to the relative's own views	the order sought if you have obtained these. Note this s. Information which the relative wishes to provide uld be included (and attributed) in section 3(a).	
(b) Do you agree with these views?		
	why was it not reasonable or practicable to do so?) onsulted where an order to that effect has been made	

5	What are the views of the primary carer of the adult?		
	Name:		
	Relationship:		
	State		
	(a) the views of the primary carer about the	he order sought if you have obtained these.	
	(b) do you agree with these views?		
	(c) If you have not obtained these views,	why was it not reasonable or practicable to do so?	

$C_{\underline{c}}$	omplete if applicable	
6	What are the views of any guardian, contin	uing attorney or welfare attorney?
	Name:	
	Appointment (e.g. financial guardian):	
	State	
	(a) the views of such a person about the ord	der sought if you have obtained these.
	(b) Do you agree with these views?	
	(c) If you have not obtained these views, w (Continue on a separate sheet if there is mo	thy was it not reasonable or practicable to do so? ore than one such person).

C	omplete if applicable			
7	What are the views of any other relevant person which have been made known to you?			
	Name:			
	Connection to adult:			
Ī	State			
	(a) the views of any other relevant person relevant to the order sought.	which have been made known to you and which are		
	(b) Do you agree with these views? (Corperson.)	ntinue on a separate sheet if there is more than one such		
8	Are there any other matters which seem to	o you to be relevant?		
-				

PART E PROPOSED GUARDIAN'S SUITABILITY

[Do not complete if the guardian is the Chief Social Work Officer.]

(If there is more than one guard and complete for each guardian	dian with personal welfare powers please duplicate Part E or proposed guardian.)
Name of proposed guardian:	
Relationship to adult:	
Sections 59(3) & (4) of the Act require the sheriff to consider certain factors before appointing an individual as a guardian; comment on the suitability of the person nominated under the headings in Part E where possible Refer as appropriate to discussion with him or her.	e ble.
1.	Awareness of the adult's circumstances and conditions and of the needs arising from such circumstances and conditions.
2.	Awareness of the functions of a guardian.

3	Accessibility to adult and primary carer.
l	
4.	Ability to carry out the functions of a guardian with personal welfare powers
r	
5.	Any likely conflict of interest between the guardian and the adult. (NB:
	Being a close relative or living in the same household as the adult does <i>not</i>
	on its own count as conflict of interest.)
6.	Any undue concentration of power which is likely to arise in the guardian
	over the adult. (NB: Being a close relative or living in the same household as the adult does <i>not</i> on its own count as undue concentration of power.)
	as the adult does not on its own count as undue concentration of power.)

Regulation 4(b)

	rse effects which	n the reappoi	intment of th	ne guardian w	ould have
Any other	matters which	seem to you	to be releva	nt. ¹	

Where an application relates to both welfare and financial or property matters you should comment on the extent to which you have been able to cover the financial and/or property aspects of the application.

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PART F: CONCLUSION

My general conclusions on the appropriateness of the renewal of guardianship and the suitability of the guardian(s) for reappointment are as follows:			
C X/			
PART G:	DECLARATION OF INTEREST		
Delete (a) or (b)	(a) I am not related to the adult		
	(b) I am related to the adult being his /her (state relationship)		
	AND		
Delete (c) or (d)	(c) I have no pecuniary interest in the appointment of a guardian or guardians		
	(d) I have a pecuniary interest in the appointment of a guardian or guardians		
	The nature and extent of that interest is		
Signed ²			
Dated			

² Please note that the application and accompanying reports will be served on interested parties.

Mental Health Officer's report to accompany application for intervention order

ADULTS WITH INCAPACITY (SCOTLAND) ACT 2000

relating to personal welfare *
personal welfare and property and/or financial
affairs*

Section 57(3)(b)

AWI [4]

PART A	AUTHOR OF TH	E REPORT		
	I			
(Give full name, lo		am a Mental Health Officer appointed by		
are acting in this c and work addre	ase,			
	Tel No			
	E-mail			
PART B	THE ADULT			
On			(Give date of intervie assessment of the adu	lt)
	I interviewed and as	ssessed the adult who is th	e subject of this applic	1
(Give full name, address and date of	of			(name)
birth of the adult, as on the application)				(addre ss)
			(DOB)	
PART C	THE APPLICANT	Γ		
This report is written	in relation to the appl	lication by		
(state name of applica	ant)			

^{*} Delete the one which does not apply

PART D

APPROPRIATENESS OF THE ORDER APPLIED FOR

Please state your opinion in terms of the general principles as set out in section (1) of the Act where possible. Please comment fully on the adult's social circumstances.

I have read the application, have taken note of the powers sought and the period being applied for (if applicable). My opinion as to the appropriateness of the order sought is as follows:-

1	achieved without the order?		
I	(a) Describe how the managed and a will hange the adult		
	(a) Describe how the proposed order will benefit the adult.		
	(b)) Describe how the benefit will be unable to be reasonably achieved without the order.		
ı			
2	Whether the proposed order is the least restrictive option in relation to the freedom of the adult, consistent with the purpose of the order.		
ı			
	(Describe any alternatives considered. These may include a measure outwith the 2000 Act, a different measure under the 2000 Act or an order containing less restrictive powers. State whether you support the terms of the order sought or support it subject to amendment.)		

3	What are the past and present wishes and feelings of the adult?		
-			
	State		
	(a) the past and present wishes and feelings of the adult about the order sought and the powers requested, so far as you have been able to ascertain them.		
	(b) If you have not been able to ascertain the adult's wishes and feelings, please explain the barriers to this.		
	(c) describe the efforts you made to overcome these barriers.		

4	What are the views of the nearest relative of the adult?		
	Name:		
	Relationship:		
	section relates to the relative's own views	the order sought if you have obtained these. Note this . Information which the relative wishes to provide ald be included (and attributed) in section 3(a).	
	(b) Do you agree with these views?		
		why was it not reasonable or practicable to do so?) onsulted where an order to that effect has been made	

5	What are the views of the primary carer of the adult?		
	Name:		
R	elationship:		
	State		
	a) the views of the primary carer about the	e order sought if you have obtained these.	
	(b) do you agree with these views?		
	(c) If you have not obtained these views,	why was it not reasonable or practicable to do so?	
	•	•	

What are the views of any guardian, continuing attorney or welfare attorney?		
0		
o?		

	Complete if applicable What are the views of any other relevant person which have been made known to you?		
7			
	Name:		
	Connection to adult:		
	State (a) the views of any other relevant person relevant to the order sought.	which have been made known to you and which are	
		ntinue on a separate sheet if there is more than one such	
	person.)		
8	Are there any other matters which seem to you to be relevant?		

PART E SUITABILITY OF PERSON NOMINATED TO BE AUTHORISED UNDER AN INTERVENTION ORDER

(Complete in cases where under section 53(5)(b) a person is nominated in the application to take action or make a decision, including those where the person nominated is an officer of the local authority.) Name of nominee: Relationship to adult: Sections 59(3) & (4) of the Act require the sheriff to My opinion as to the suitability of the person nominated is as follows:consider certain factors before appointing an individual as a guardian; These provide useful guidance as to what information should be contained in the report on the suitability of a person named in an application for an intervention order. Please therefore comment on the suitability of the person nominated under the headings in Part E where possible. Refer as appropriate to discussion with him or her. Awareness of the adult's circumstances and conditions and of the needs arising from such circumstances and conditions. Awareness of the functions of a person authorised under an intervention order.

3	Accessibility to adult and primary carer.
i	
4	Ability to carry out the functions of a person authorised under an intervention order with
	personal welfare powers.
5	Any likely conflict of interest between the person nominated and the adult. (NB: Being a close
	relative or living in the same household as the adult does <i>not</i> on its own count as conflict of
	interest.)
6	Any undue concentration of power which is likely to arise in the person nominated over the
6	adult. (NB: Being a close relative or living in the same household as the adult does <i>not</i> on its
6	Any undue concentration of power which is likely to arise in the person nominated over the adult. (NB: Being a close relative or living in the same household as the adult does <i>not</i> on its own count as undue concentration of power.)
6	adult. (NB: Being a close relative or living in the same household as the adult does <i>not</i> on its
6	adult. (NB: Being a close relative or living in the same household as the adult does <i>not</i> on its
6	adult. (NB: Being a close relative or living in the same household as the adult does <i>not</i> on its
6	adult. (NB: Being a close relative or living in the same household as the adult does <i>not</i> on its
6	adult. (NB: Being a close relative or living in the same household as the adult does <i>not</i> on its
6	adult. (NB: Being a close relative or living in the same household as the adult does <i>not</i> on its

7	Any adverse effects which the appointment of the person nominated would have on the interests of the adult.
3	Any other matters which seem to you to be relevant. ¹

Where an application relates to both welfare and financial or property matters you should comment on the extent to which you have been able to cover the financial and/or property aspects of the application.

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PART F: CONCLUSION

My general conclusion nominated (if any) ar	ons on the appropriateness of the order sought and the suitability of the perse as follows:	son
PART G:	DECLARATION OF INTEREST	
Delete (a) or (b)	(a) I am not related to the adult	
	(b) I am related to the adult being his /her (state relationship)	
	AND	
Delete (c) or (d)	(c) I have no pecuniary interest in the order sought	
	(d) I have a pecuniary interest in the order sought	
	The nature and extent of that interest is	
Signed ²		
Dated		

² Please note that the application and accompanying reports will be served on interested parties.

Chief Social Work Officer's report to accompany application for guardianship relating to personal welfare*personal welfare and property and/or financial affairs*

AWI [5]
Adults with Incapacity (Scotland)
Act 2000
Section 57(3)(b)

PART A	AUTHOR OF THE REPORT	
	Ι	
am the Chief Socia Officer of	ıl Work	
If there are any enc Name	quiries in connection with this report please contact	
Position		
Address		
Tel No	E-mail	
PART B	THE ADULT	
O	On Give date of assessment of The following adult who is the subject of this application wa	the adult)
		(name)
(Give full name address and date of birth of the adult, a	of as	
on the application	n)	(address)
	(DOB)	
PART C	THE APPLICANT	
This report is writte	en in relation to the application by	
(state name of app	licant)	

^{*} Delete the one which does not apply

PART D APPROPRIATENESS OF THE ORDER APPLIED FOR

Please state your opinion in terms of the general principles as set out in section (1) of the Act where possible. Please comment fully on the adult's social circumstances I have read the application, have taken note of the powers sought and the period of guardianship being applied for. My opinion as to the appropriateness of the order sought is as follows:-

1	Will the proposed order (a) benefit the adult and (b) will the benefit be unable to be reasonably achieved without the order?
	(a) Describe how the proposed order will benefit the adult.
	(b) Describe how the benefit will be unable to be reasonably achieved without the order.
2	Will the proposed order be the least restrictive option in relation to the freedom of the adult, consistent with the purpose of the order?
	(Describe any alternatives considered. These may include a measure outwith the 2000 Act, a different measure under the 2000 Act or an order containing less restrictive powers. State whether you support the terms of the order sought or support it subject to amendment.)
ļ	

3 What are the past and present wishes and feelings of the adult?

State
(a) the past and present wishes and feelings of the adult about the order sought and the powers requested, so far as you have been able to ascertain them.
(b) If you have not been able to ascertain the adult's wishes and feelings, please explain the barriers to this.
(c) describe the efforts you made to overcome these barriers.

What are the views of the nearest relativ	e of the adult?
Name:	
Relationship:	
State	
(a) the views of the nearest relative about section relates to the relative's own view	at the order sought if you have obtained these. Note this vs. Information which the relative wishes to provide buld be included (and attributed) in section 3(a).
(b) Da very a green with the service of 2	
(b) Do you agree with these views?	
	why was it not reasonable or practicable to do so?) consulted where an order to that effect has been made

5	What are the views of the primary carer of	of the adult?
	Name:	
	Relationship:	
	State	
	(a) the views of the primary carer about the	he order sought if you have obtained these.
	(b) do you agree with these views?	
	(c) If you have not obtained these views,	why was it not reasonable or practicable to do so?

Complete if applicable

6	What are the views of any guardian, conti	nuing attorney or welfare attorney?
	Name:	
	Appointment (e.g. financial guardian):	
	State	
	(a) the views of such a person about the o	rder sought if you have obtained these.
	(b) Do you agree with these views?	
	(c) If you have not obtained these views, (Continue on a separate sheet if there is m	why was it not reasonable or practicable to do so? nore than one such person).

omplete if applicable	
The views of any other relevan	nt person which have been made known to you
ama.	
ame:	
Connection to adult:	
State	
(a) the views of any other relevent to the order sought.	vant person which have been made known to you and which are
(b) Do you agree with these vi person.)	iews? (Continue on a separate sheet if there is more than one such
Are there any other matters wh	nich seem to you to be relevant?
·	

PART E PROPOSED GUARDIAN'S SUITABILITY

[Do not complete if the proposed guardian is the Chief Social Work Officer.]

(If there is more than one proposed guardian with personal welfare powers please duplicate Part E and complete for each nominated person.) Name of proposed guardian: Relationship to adult: *Sections 59*(*3*) & (*4*) *of the Act* My opinion as to the suitability of the person nominated is as require the sheriff to consider follows:certain factors before appointing an individual as a guardian; comment on the suitability of the person nominated under the headings in Part E where possible. Refer as appropriate to discussion with him or her. Awareness of the adult's circumstances and conditions and of the needs arising from such circumstances and conditions. Awareness of the functions of a guardian.

3.	Accessibility to adult and primary carer.
,	
4.	Ability to carry out the functions of a guardian with personal welfare powers.
5.	Any likely conflict of interest between the guardian and the adult. (NB: Being
٥.	a close relative or living in the same household as the adult does <i>not</i> on its
	own count as conflict of interest.)
_	
6.	Any undue concentration of power which is likely to arise in the proposed guardian over the adult. (NB: Being a close relative or living in the same
	household as the adult does <i>not</i> on its own count as undue concentration of
	power.)

Any adverse effects which the appointment of the proposed guardian would have on the interests of the adult.
Any other matters which seem to you to be relevant. ¹

Where an application relates to both welfare and financial or property matters you should comment on the extent to which you have been able to cover the financial and/or property aspects of the application.

Page 10 of 11

PART F: CONCLUSION

My general conclusions on the appropriateness of the order sought and the suitability of the proposed guardian(s) are as follows:		
PART G:	DECLARATION OF INTEREST	
Delete (a) or (b)	(a) I am not related to the adult	
	(b) I am related to the adult being his /her	
	(state relationship)	
	AND	
Delete (c) or (d)	(c) I have no pecuniary interest in the appointment of a	
	guardian or guardians	
	(d) I have a pecuniary interest in the appointment of a	
	guardian or guardians	
	The nature and extent of that interest is	
Signed ²		
~-0		
Dated		

² Please note that the application and accompanying reports will be served on interested parties.

Chief Social Work Officer's report to accompany application for renewal of guardianship relating to personal welfare *

personal welfare and property and/or financial affairs*

AWI [6] ADULTS WITH INCAPACITY (SCOTLAND) ACT 2000 Section 57(3)(b)

PART A AUTHOR OF THE REPORT am the Chief Social Work Officer of If there are any enquiries in connection with this report please contact Name Position Address E-mail Tel No PART B THE ADULT On (Give date of interview and assessment of the adult) The following adult who is the subject of this application was assessed (name) (Give full name, of address and date of birth of the adult, as on the application) (address) (DOB) PART C THE APPLICANT This report is written in relation to the application by (state name of applicant)

^{*} Delete the one which does not apply

PART D APPROPRIATENESS OF THE ORDER APPLIED FOR

Please state your opinion in terms of the general principles as set out in section (1) of the Act where possible. Please comment fully on the adult's social circumstances I have read the application, have taken note of the powers sought and the renewal of guardianship being applied for. My opinion as to the appropriateness of the order sought is as follows:-

ci	rcumstances
1	Will the proposed order (a) benefit the adult and (b) will the benefit be unable to be reasonably achieved without the order?
	(a) Describe how the proposed order will benefit the adult.
	(b) Describe how the benefit will be unable to be reasonably achieved without the order.
ı	
2	Will the proposed order be the least restrictive option in relation to the freedom of the adult, consistent with the purpose of the order?
	(Describe any alternatives considered. These may include a measure outwith the 2000 Act, a different measure under the 2000 Act or an order containing less restrictive powers. State whether you support the terms of the order sought or support it subject to amendment.)
Į	

3	What are the past and present wishes and feelings of the adult?
г	
	State (a) the past and present wishes and feelings of the adult about the order sought and the powers
	requested, so far as you have been able to ascertain them.
	(b) If you have not been able to ascertain the adult's wishes and feelings, please explain the barriers to this.
	(c) describe the efforts you made to overcome these barriers.

What are the views of the nearest relative of the adult?		
Name:		
Relationship:		
State		
section relates to the relative's own v	bout the order sought if you have obtained these. Note this iews. Information which the relative wishes to provide about d be included (and attributed) in section 3(a).	
(b) Do you agree with these views?		
(b) Bo you agree with these views.		
	ews, why was it not reasonable or practicable to do so?) be consulted where an order to that effect has been made	

What are the views of the primary carer of the adult?			
Name:			
Relationship:			
State			
(a) the views of the primary carer abou	at the order sought if you have obtained these.		
(b) do you agree with these views?			
(c) If you have not obtained these view	vs, why was it not reasonable or practicable to do so?		

Complete if applicable What are the views of any guardian, continuing attorney or welfare attorney? Name: Appointment (e.g. financial guardian): State (a) the views of such a person about the order sought if you have obtained these. (b) Do you agree with these views? (c) If you have not obtained these views, why was it not reasonable or practicable to do so? (Continue on a separate sheet if there is more than one such person).

omplete if applicable	
What are the views of any other	relevant person which have been made known to you?
ame:	
Connection to adult:	
State	
(a) the views of any other relevant to the order sought.	ant person which have been made known to you and which are
(b) Do you agree with these vie person.)	ews? (Continue on a separate sheet if there is more than one suc
Are there any other matters which	ch seem to you to be relevant?

PART E PROPOSED GUARDIAN'S SUITABILITY

[Do not complete if the proposed guardian is the Chief Social Work Officer.]

(If there is more than one prop duplicate Part E and complete for e	osed guardian with personal welfare powers please each nominated person.)
Name of proposed guardian:	
Relationship to adult:	
Sections 59(3) & (4) of the Act require the sheriff to consider certain factors before appointing an individual as a guardian; comment on the suitability of the person nominated under the headings in Part E where possible. Refer as appropriate to discussion with him or her.	My opinion as to the suitability of the person nominated is as follows:-
1.	Awareness of the adult's circumstances and conditions and of the needs arising from such circumstances and conditions.
2.	Awareness of the functions of a guardian.

.	Accessibility to adult and primary carer.
L	
	Ability to carry out the functions of a guardian with personal welfare powers.
•	Any likely conflict of interest between the guardian and the adult. (NB: Being a close relative or living in the same household as the adult does <i>not</i> on its own count as conflict of interest.)
	own count as commet of interest.)
	Any undue concentration of power which is likely to arise in the proposed guardian over the adult. (NB: Being a close relative or living in the same household as the adult does <i>not</i> on its own count as undue concentration of power.)

nave on the in	terests of the adult.		
		1	
any other mai	tters which seem to you to	be relevant.	

Where an application relates to both welfare and financial or property matters you should comment on the extent to which you have been able to cover the financial and/or property aspects of the application.

Page 10 of 11

PART F: CONCLUSION

My general conclusions on the appropriateness of the order sought and the suitability of the person nominated are as follows:		
PART G:	DECLARATION OF INTEREST	
Delete (a) or (b)	(a) I am not related to the adult	
	(b) I am related to the adult being his /her	
	(state relationship)	
	AND	
Delete (c) or (d)	(c) I have no pecuniary interest in the appointment of a guardian or guardians	
	(d) I have a pecuniary interest in the appointment of a guardian or guardians	
ı	The nature and extent of that interest is	
Signed ²		
ı		
Dated		

² Please note that the application and accompanying reports will be served on interested parties.

Chief Social Work Officer's report to accompany application for intervention order relating to personal welfare*
personal welfare and property and/or financial affairs*

AWI [7] ADULTS WITH INCAPACITY (SCOTLAND) ACT 2000 Section 57(3)(b)

PART A	A	UTHOR OF THE REPORT	
]		
am the Chief Soc Officer of	ial Wor	k	
If there are any en Name	nquiries	in connection with this report please contact	
Position			
Address			
Tel No		E-mail	
PART B	T	HE ADULT	
(Give full nat address and date birth of the adult on the applicati	me, of e of , as	(Give date of in assessment of the following adult who is the subject of this application was	ne adult)
PART C	T	HE APPLICANT	
This report is wri	itten in r	elation to the application by	
(state name of ap	oplicant)		

^{*} Delete the one which does not apply

PART D

APPROPRIATENESS OF THE ORDER APPLIED FOR

Please state your opinion in terms of the general principles as set out in section (1) of the Act where possible. Please comment fully on the adult's social circumstances.

I have read the application, have taken note of the powers sought and the period being applied for (if applicable). My opinion as to the appropriateness of the order sought is as follows:-

1	Will the proposed order (a) benefit the adult and (b) will the benefit be unable to be reasonably achieved without the order?
	(a) Describe how the proposed order will benefit the adult.
	(b) \ Describe here the here fit will be unable to be recorded to a him a him of without the and a
	(b)) Describe how the benefit will be unable to be reasonably achieved without the order.
2	Will the proposed order is the least restrictive option in relation to the freedom of the adult, consistent with the purpose of the order?
	(Describe any alternatives considered. These may include a measure outwith the 2000 Act, a different measure under the 2000 Act or an order containing less restrictive powers. State whether you support the terms of the order sought or support it subject to amendment.)
l	

3	What are the past and present wishes and feelings of the adult?
	State (a) the past and present wishes and feelings of the adult about the order sought and the powers requested, so far as you have been able to ascertain them.
	(b) If you have not been able to ascertain the adult's wishes and feelings, please explain the barriers to this
	(c) describe the efforts you made to overcome these barriers.

1	What are the views of the nearest relative of the adult?		
	Name:		
	Relationship:		
		t the order sought if you have obtained these. Note this s. Information which the relative wishes to provide about included (and attributed) in section 3(a).	
	(b) Do you agree with these views?		
		why was it not reasonable or practicable to do so?) consulted where an order to that effect has been made	

5	What are the views of the primary carer o	f the adult?
N	ame:	
	Relationship:	
	State a) the views of the primary carer about the	e order sought if you have obtained these.
	(b) do you agree with these views?	
	(c) If you have not obtained these views,	why was it not reasonable or practicable to do so?

Complete if applicable What are the views of any guardian, continuing attorney or welfare attorney? Name: Appointment (e.g. financial guardian: State (a) the views of such a person about the order sought if you have obtained these. (b) Do you agree with these views? (c) If you have not obtained these views, why was it not reasonable or practicable to do so? (Continue on a separate sheet if there is more than one such person).

Complete if applicable	
What are the views of any othe	er relevant person which have been made known to you?
ame:	
Connection to adult:	
State	
(a) the views of any other relev relevant to the order sought.	vant person which have been made known to you and which are
(b) Do you agree with these viperson.)	iews? (Continue on a separate sheet if there is more than one such
Are there any other matters wh	ich seem to you to be relevant?

PART E SUITABILITY OF PERSON NOMINATED TO BE AUTHORISED UNDER AN INTERVENTION ORDER

(Complete in cases where under section 53(5)(b) a person is nominated in the application to take action or make a decision, including those where the person nominated is an officer of the local authority.) Name of nominee: Relationship to adult: Sections 59(3) & (4) of the Act require the sheriff to My opinion as to the suitability of the person nominated is as follows:consider certain factors before appointing an individual as a guardian; These provide useful guidance as to what information should be contained in the report on the suitability of a person named in an application for an intervention order. Please therefore comment on the suitability of the person nominated under the headings in Part E where possible. Refer as appropriate to discussion with him or her. 1 Awareness of the adult's circumstances and conditions and of the needs arising from such circumstances and conditions. Awareness of the functions of a person authorised under an intervention order.

3	Accessibility to adult and primary carer.
4	Ability to carry out the functions of a person authorised under an intervention order with personal welfare powers.
İ	
5	Any likely conflict of interest between the person nominated and the adult. (NB: Being a close relative or living in the same household as the adult does <i>not</i> on its own count as conflict of interest.)
i	
6	Any undue concentration of power which is likely to arise in the person nominated over the adult. (NB: Being a close relative or living in the same household as the adult does <i>not</i> on its own count as undue concentration of power.)
į	

'	Any adverse effects which the appointment of the person nominated would have on the interests of the adult.
[
	Any other matters which seem to you to be relevant. ¹

Where an application relates to both welfare and financial or property matters you should comment on the extent to which you have been able to cover the financial and/or property aspects of the application.

Page 10 of 11

PART F: CONCLUSION

My general conclusions on the appropriateness of the order sought and the suitability of the person nominated (if any) are as follows:		
•		
PART G:	DECLARATION OF INTEREST	
Delete (a) or (b)	(a) I am not related to the adult	
	(b) I am related to the adult being his /her	
	(state relationship)	
		1
	AND	
Delete (c) or (d)	(c) I have no pecuniary interest in the order sought	
	(d) I have a pecuniary interest in the order sought	
	The nature and extent of that interest is	
]
_		1
Signed ²		
Dated		
		_

² Please note that the application and accompanying reports will be served on interested parties.

Report to accompany application for guardianship relating to property and financial affairs

AWI [8]

ADULTS WITH INCAPACITY (SCOTLAND) ACT 2000

Section 57(3)(c)

PART A	AUTHOR OF THE REPORT		
am a person with suff	I cient knowledge to make this report, because	e of my position as:	
(Give contact address	Address		
Tel No	E-mail		
PART B	THE ADULT		
On		(Give date of inte	
	I interviewed and assessed the adult who is	the subject of this ap	plication
			(name)
(Give full name, address and date of	of		
birth of the adult, as on the application)			(address)
		(DOB)	
PART C	THE APPLICANT		
This report is written (Name of application)	in relation to the application by		

PART D

APPROPRIATENESS OF THE ORDER APPLIED FOR

Please state your opinion in terms of the general principles as set out in section (1) of the Act where possible.

I have read the application, have taken note of the powers sought and the period of guardianship being applied for. My opinion as to the appropriateness of the order sought is as follows:-

1	Will the proposed order (a) benefit the adult and (b) will the benefit be unable to be reasonably achieved without the order?
	(a) Describe how the proposed order will benefit the adult.
	(b) Describe how the benefit will be unable to be reasonably achieved without the order.
2	Whether the proposed order is the least restrictive option in relation to the freedom of the adult, consistent with the purpose of the order.
	(Describe any alternatives considered. These may include a measure outwith the 2000 Act, a different measure under the 2000 Act or an order containing less restrictive powers. State whether you support the terms of the order sought or support it subject to amendment.)

What are the past and present wishes and feelings of the adult?				
ī				
	State			
	(a) the past and present wishes and feelings of the adult about the order sought and the powers requested, so far as you have been able to ascertain them.			
	(b) If you have not been able to ascertain the adult's wishes and feelings, please explain the barriers to this.			
	(c) describe the efforts you made to overcome these barriers.			

4	What are the views of the nearest relative of the adult?		
	Name:		
	Relationship:		
ī		·	
	State		
		the order sought if you have obtained these. Note this . Information which the relative wishes to provide about included (and attributed) in section 3(a).	
	(b) Do you agree with these views?		
		why was it not reasonable or practicable to do so?) onsulted where an order to that effect has been made	

What are the views of the primary carer of the adult?			
Name:			
Relationship:			
State (a) the views of the primary carer about to	the order sought if you have obtained these.		
(b) do you agree with these views?			
(c) If you have not obtained these views,	why was it not reasonable or practicable to do so?		

Complete if applicable What are the views of any guardian, continuing attorney or welfare attorney? Name: Appointment (e.g financial guardian:) State (a) the views of such a person about the order sought if you have obtained these. (b) Do you agree with these views? (c) If you have not obtained these views, why was it not reasonable or practicable to do so? (Continue on a separate sheet if there is more than one such person).

70	отрієте іј арріісавіе			
7	What are the views of any other relevant	What are the views of any other relevant person which have been made known to you?		
	Name:			
	Connection to adult:			
	State (a) the views of any other relevant person vielevant to the order sought.	which have been made known to you and which are		
	(b) Do you agree with these views? (Cont person.)	inue on a separate sheet if there is more than one such		
8	Are there any other matters which seem t	o you to be relevant?		

PART E PROPOSED GUARDIAN'S SUITABILITY

(If there is more than one proposed guardian with powers over property and/or financial
affairs please duplicate Part E and complete for each proposed guardian.)

Name of p	roposed uardian:	
Relationship	to adult:	
Sections 59(3) & (4) of the Act require the sheriff to consider certain factors before appointing an individual as a guardian; comment on the suitability of the person nominated under the headings in Part E where possible. Refer as appropriate to discussion with him or her.	My opin follows:	nion as to the suitability of the person nominated is as
1.		ess of the adult's circumstances and conditions and of ls arising from such circumstances and conditions.
2.	Awaren	ess of the functions of a guardian.

3.	Accessibility to adult and primary carer.
4.	Ability to carry out the functions of a guardian with personal welfare powers.
5.	Any likely conflict of interest between the guardian and the adult. (NB: Being a close relative
	or living in the same household as the adult does <i>not</i> on its own count as conflict of interest.)
_	
6.	Any undue concentration of power which is likely to arise in the proposed guardian over the adult. (NB: Being a close relative or living in the same household as the adult does <i>not</i> on its
	own count as undue concentration of power.)

7.	Any adverse effects which the appointment of the proposed guardian would have on the interests of the adult.				
8.	Any other matters which seem to you to be relevant.				
	Tany suite manufaction manufaction to you so so total value.				

PART F: CONCLUSION				
My general conclusions on the appropriateness of the order sought and the suitability of the proposed guardian(s) are as follows:				
PART G:	DECLARATION OF INTEREST			
Delete (a) or (b)	(a) I am not related to the adult			
	(b) I am related to the adult being his /han			
	(b) I am related to the adult being his /her (state relationship)			
	(state relationship)			
	AND			
Delete (c) or (d)	(c) I have no pecuniary interest in the appointment of a guardian or guardians			
	(d) I have a pecuniary interest in the appointment of a guardian or guardians			
	The nature and extent of that interest is			
	The nature and extent of that interest is			
a: il				
Signed ¹				
Dated				

 $^{^{\}scriptscriptstyle 1}$ Please note that the application and accompanying reports will be served on interested parties. Page 11 of 11

Report to accompany application for renewal of guardianship relating to property and financial affairs

AWI [9]
ADULTS WITH INCAPACITY
(SCOTLAND) ACT 2000

Section 57(3)(c)

PART A	AUTHOR OF THE	REPORT		
:4 66	I]
am a person with suit	icient knowledge to ma	ake this report, because	of my position as:	
(Give contact address) Address			
Tel No		E-mail		
PART B	THE ADULT			
On			(Give date of intervier assessment of the adu	
	I interviewed and asso	essed the adult who is t	the subject of this application	cation
				(name)
(Give full name, address and date of	of			_
birth of the adult, as				
on the application)				(address
]
			(DOB)	
PART C	THE APPLICANT			
This report is written (Name of application)	in relation to the applic	eation by		

PART D

Please state your opinion in terms of the general principles as set out in section (1) of the Act where possible.

APPROPRIATENESS OF THE ORDER APPLIED FOR

I have read the application, have taken note of the powers sought and the renewal of guardianship being applied for. My opinion as to the appropriateness of the order sought is as follows:-

1	Will the proposed order (a) benefit the adult and (b) will the benefit be unable to be reasonably achieved without the order?		
	(a) Describe how the proposed order will benefit the adult.		
	(b) Describe how the benefit will be unable to be reasonably achieved without the order.		
2	Whether the proposed order is the least restrictive option in relation to the freedom of the adult, consistent with the purpose of the order.		
	(Describe any alternatives considered. These may include a measure outwith the 2000 Act, a different measure under the 2000 Act or an order containing less restrictive powers. State whether you support the terms of the order sought or support it subject to amendment.)		

What are the past and present wishes and feelings of the adult? State (a) the past and present wishes and feelings of the adult about the order sought and the powers requested, so far as you have been able to ascertain them. (b) If you have not been able to ascertain the adult's wishes and feelings, please explain the barriers to this. (c) describe the efforts you made to overcome these barriers.

What are the views of the nearest relative of the adult?		
Name:		
Relationship:		
section relates to the relative's own view	ut the order sought if you have obtained these. Note this ws. Information which the relative wishes to provide about be included (and attributed) in section 3(a).	
(b) Do you agree with these views?		
	s, why was it not reasonable or practicable to do so?) consulted where an order to that effect has been made	

5	What are the views of the primary carer of the adult?			
	Name:			
	Relationship:			
Ī				
	State			
	(a) the views of the primary carer about the	ne order sought if you have obtained these.		
	(b) do you agree with these views?			
	(c) If you have not obtained these views,	why was it not reasonable or practicable to do so?		

Complete if applicable

What are the views of any guardian, continuing attorney or welfare attorney?		
Name:		
Appointment (e.g financial guardian:)		
State		
(a) the views of such a person about the	order sought if you have obtained these.	
(b) Do you agree with these views?		
(c) If you have not obtained these views (Continue on a separate sheet if there is	s, why was it not reasonable or practicable to do so? more than one such person).	

Complete if applicable What are the views of any other relevant person which have been made known to you? Name: Connection to adult: State (a) the views of any other relevant person which have been made known to you and which are relevant to the order sought. (b) Do you agree with these views? (Continue on a separate sheet if there is more than one such person.) Are there any other matters which seem to you to be relevant?

PART E PROPOSED GUARDIAN'S SUITABILITY

(If there is more than one proposed guardian with powers over property and/or financial affairs please duplicate Part E and complete for each proposed guardian.)

Name of p	roposed uardian:
Relationship	to adult:
Sections 59(3) & (4) of the Act require the sheriff to consider certain factors before appointing an individual as a guardian; comment on the suitability of the person nominated under the headings in Part E where possible. Refer as appropriate to discussion with him or her.	My opinion as to the suitability of the person nominated is as follows:-
1.	Awareness of the adult's circumstances and conditions and of the needs arising from such circumstances and conditions.
2.	Awareness of the functions of a guardian.

3.	Accessibility to adult and primary carer.
4.	Ability to carry out the functions of a guardian with personal welfare powers
5.	Any likely conflict of interest between the guardian and the adult. (NB: Being a close relative
	or living in the same household as the adult does <i>not</i> on its own count as conflict of interest.)
6.	Any undue concentration of power which is likely to arise in the proposed guardian over the
	adult. (NB: Being a close relative or living in the same household as the adult does <i>not</i> on its own count as undue concentration of power.)

	Any adverse effects which the appointment of the proposed guardian would have on the interests of the adult.
	of the dddr.
	Any other matters which seem to you to be relevant.
_	

PART F: CONCLUSION			
My general conclusions on the appropriateness of the order sought and the suitability of			
the proposed guardia	n(s) are as follows:		
PART G:	DECLARATION OF INTEREST		
	2202		
Delete (a) or (b)	(a) I am not related to the adult		
Defecte (a) of (b)	(u) I am not related to the addit		
	(h) I are related to the adult being his then		
	(b) I am related to the adult being his /her		
	(state relationship)		
	AND		
Delete (c) or (d)	(c) I have no pecuniary interest in the appointment of a guardian or guardians		
	(d) I have a pecuniary interest in the appointment of a guardian or guardians		
	(d) I have a peculiary interest in the appointment of a guardian of guardians		
	The nature and extent of that interest is		
Signed ¹			
Dated			

¹ Please note that the application and accompanying reports will be served on interested parties.

Report to accompany application for intervention order relating to property and financial affairs

AWI [10] ADULTS WITH INCAPACITY (SCOTLAND) ACT 2000 Section 57(3)(c)

PART A	AUTHOR OF THE	REPORT		
	I			
am a person with suff	icient knowledge to ma	ake this report b	because of my position as	s:
(Give contact address) Address			
Tel No		E-mail		
PART B	THE ADULT			
On			(Give date of i	
	I interviewed and ass	essed the adult	who is the subject of this	s application
				(name)
(Give full name,	of			
address and date of birth of the adult, as				
on the application)				(address
			(DOB)	
PART C	THE APPLICANT			
This report is written	in relation to the applic	cation by		
(Name of applica	ant)			

PART D

APPROPRIATENESS OF THE ORDER APPLIED FOR

Please state your opinion in terms of the general principles as set out in section (1) of the Act where possible. I have read the application, have taken note of the powers sought and the period being applied for (if applicable). My opinion as to the appropriateness of the order sought is as follows:-

1	Will the proposed order (a) benefit the adult and (b) will the benefit be unable to be reasonably achieved without the order?.
Ī	A.D. William de conservation and a final de conservation a
	a) Describe how the proposed order will benefit the adult.
	(b) Describe how the benefit will be unable to be reasonably achieved without the order.
ı	
2	Whether the proposed order is the least restrictive option in relation to the freedom of the adult, consistent with the purpose of the order.
1	
	(Describe any alternatives considered. These may include a measure outwith the 2000 Act, a different measure under the 2000 Act or an order containing less restrictive powers. State whether you support the terms of the order sought or support it subject to amendment.)

3	What are the past and present wishes and feelings of the adult?		
	State		
	(a) the past and present wishes and feelings of the adult about the order sought and the powers requested, so far as you have been able to ascertain them.		
	(b) If you have not been able to ascertain the adult's wishes and feelings, please explain the barriers to this.		
	(c) describe the efforts you made to overcome these barriers.		

1	What are the views of the nearest relative of the adult?		
	Name:		
	Relationship:		
		the order sought if you have obtained these. Note this i. Information which the relative wishes to provide about included (and attributed) in section 3(a)	
	(b) Do you agree with these views?		
		why was it not reasonable or practicable to do so?) onsulted where an order to that effect has been made	

5	What are the views of the primary carer of the adult?	
	Name:	
R	elationship	
10	ond on only	
	State	
	(a) the views of the primary carer about the	e order sought if you have obtained these.
	(b) do you agree with these views?	
	(e) 20 Jen 1800 House	
	(c) If you have not obtained these views, v	why was it not reasonable or practicable to do so?

Complete if applicable

What are the views of any guardian, continuing attorney or welfare attorney?	
Name:	
Appointment (e.g. financial guardian)	
State	
(a) the views of such a person about the order sought if you have obtained these.	
(b) Do you agree with these views?	
(c) If you have not obtained these views, why was it not reasonable or practicable to do so? (Continue on a separate sheet if there is more than one such person).	,

	Complete if applicable		
7	What are the views of any other relevant person which have been made known to you?		
	Name:		
	Connection to the Adult:		
	State		
	(a) the views of any other relevant person relevant to the order sought.	which have been made known to you and which are	
	(b) Do you agree with these views? (Cor	ntinue on a separate sheet if there is more than one such	
	person.)		
8	Are there any other matters which seem to you to be relevant?		

PART E SUITABILITY OF PERSON NOMINATED TO BE AUTHORISED UNDER AN INTERVENTION ORDER

take			a person is nominated in the application to e the person nominated is an officer of
Naı	me of nominee:		
Rel	ationship to adult:		
con indi guid con per ord of to	tions 59(3) & (4) of the Act require the sider certain factors before appointing ividual as a guardian; These provide dance as to what information should to tained in the report on the suitability soon named in an application for an integer. Please therefore comment on the he person nominated under the heading there possible. Refer as appropriate to the suitability with him or her.	g an useful be of a utervention suitability ngs in Part	My opinion as to the suitability of the person nominated is as follows:-
1	Awareness of the adult's circumstancircumstances and conditions.	ces and con-	ditions and of the needs arising from such
2	Awareness of the functions of a pers	son authorise	ed under an intervention order.

3	Accessibility to adult and primary carer.
4	Ability to carry out the functions of a person authorised under an intervention order with power over property and/or financial powers
5	Any likely conflict of interest between the person nominated and the adult. (NB: Being a close relative or living in the same household as the adult does <i>not</i> on its own count as conflict of interest.)
6	Any undue concentration of power which is likely to arise in the person nominated over the adult. (NB: Being a close relative or living in the same household as the adult does <i>not</i> on its own count as undue concentration of power.)
	own count as undue concentration of power.)

'	Any adverse effects which the appointment of the person nominated would have on the interests of the adult.
[An advantage 1:1
	Any other matters which seem to you to be relevant.

PART F: CONCLUSION			
My general conclusions on the appropriateness of the order sought and the suitability of the person nominated (if any) are as follows:			
PART G:	DECL ADAMION OF INVERDECE		
TAKI G.	DECLARATION OF INTEREST		
Delete (a) or (b)	(a) I am not related to the adult		
	(b) I am related to the adult being his /her		
	(state relationship)		
	AND		
Delete (c) or (d)	(c) I have no pecuniary interest in the order sought		
	(d) I have a pecuniary interest in the order sought		
	The nature and extent of that interest is		
Signed ¹			
8			

Dated

¹ Please note that the application and accompanying reports will be served on interested parties.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These regulations prescribe the forms to be used by certain persons when completing reports for the purposes of applications for guardianship orders, renewal of guardianship orders and intervention orders under the Adults with Incapacity Act 2000.

Regulation 3 provides that reports by medical practitioners shall be in the form set out at Schedule 1.

Regulation 4 provides that reports by a mental health officer shall be in the forms set out at Schedules 2, 3 and 4.

Regulation 5 provides that reports by a chief social work officer shall be in the forms set out at Schedules 5, 6 and 7.

Regulation 6 provides that reports by a person with knowledge of the property and financial affairs of an incapable adult shall be in the forms set out at Schedules 8, 9 and 10.