

2005 No. 630

ADULTS WITH INCAPACITY

The Adults with Incapacity (Supervision of Welfare Guardians etc. by Local Authorities) (Scotland) Amendment Regulations 2005

Made - - - - - *8th December 2005*
Laid before the Scottish Parliament *9th December 2005*
Coming into force - - - *1st February 2006*

The Scottish Ministers, in exercise of the powers conferred by sections 10(3)(a) 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 (Supervision of Welfare Guardians etc. by Local Authorities) (Scotland) Amendment Regulations 2005 and shall come into force on 1st February 2006.

Amendment of the Adults with Incapacity (Supervision of Welfare Guardians etc. by Local Authorities) (Scotland) Regulations 2002

2.—(1) The Adults with Incapacity (Supervision of Welfare Guardians etc. by Local Authorities) (Scotland) Regulations 2002(b) are amended in accordance with the following paragraph.

(2) In regulation 2(1)—

- (a) in sub-paragraph (a) for “three” where it secondly occurs substitute “six”; and
- (b) in sub-paragraph (b) for “at intervals of not more than three months” substitute “within three months of the guardianship order being granted and thereafter at intervals of not more than six months”.

HUGH HENRY

Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
8th December 2005

(a) 2000 asp 4.
(b) S.S.I. 2002/95.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Adults with Incapacity (Supervision of Welfare Guardians etc. by Local Authorities) (Scotland) Regulations 2002 in respect of welfare guardians whose appointment is for at least a year. The intervals within which a local authority must arrange for visits, other than the initial visit, to an incapable adult and that adult's welfare guardian are extended from three to six months. Local authorities must continue to arrange to visit the welfare guardian, as well as the incapable adult, within three months of the guardian's appointment. The requirements on local authorities to arrange visits to welfare guardians do not apply where the Chief Social Work Officer is the welfare guardian.

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