
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 56

The Adults with Incapacity (Certificates in Relation to Powers of Attorney) (Scotland) Regulations 2008

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Adults with Incapacity (Certificates in Relation to Powers of Attorney) (Scotland) Regulations 2008 and come into force on 1st April 2008.

(2) In these Regulations—

“the Act” means the Adults with Incapacity (Scotland) Act 2000;

“the 2001 Regulations” means the Adults with Incapacity (Certificates in Relation to Powers of Attorney) (Scotland) Regulations 2001(1).

Certificates for use in connection with continuing and welfare powers of attorney and revocation notices

2. For the purposes of sections 15(3)(c) and 16(3)(c) of the Act, the certificate to be incorporated in a written document granting a continuing power of attorney, or a welfare power of attorney, or both, shall be in the form set out in Schedule 1.

3. For the purposes of section 22A(2)(b) of the Act, the certificate to be incorporated in a notice revoking part or all of a continuing power of attorney, or a welfare power of attorney, or both, shall be in the form set out in Schedule 2.

Classes of persons for the purposes of sections 15(3)(c), 16(3)(c) or 22A(2)(b) of the Act

4. For the purposes of sections 15(3)(c), 16(3)(c) and 22A(2)(b) of the Act, the following classes are prescribed:—

- (a) practising members of the Faculty of Advocates; and
- (b) registered medical practitioners.

Revocation and savings

5.—(1) Subject to paragraph (2) the 2001 Regulations are revoked.

(2) The 2001 Regulations continue to have effect on or after 1st April 2008 in relation to certificates signed before that date.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

St Andrew's House,
Edinburgh
20th February 2008

FERGUS EWING
Authorised to sign by the Scottish Ministers