



Guardianship (Missing Persons) Act 2017

2017 CHAPTER 27

Supervision of guardians

17 **Supervision of guardians by the Public Guardian** **E+W**

- (1) Section 58 of the Mental Capacity Act 2005 (functions of the Public Guardian) is amended as follows.
- (2) After subsection (2) insert—
 - “(2A) The Public Guardian also has the following functions—
 - (a) establishing and maintaining a register of guardianship orders,
 - (b) supervising guardians,
 - (c) receiving security which the court requires a guardian to give for the exercise of the guardian's functions,
 - (d) receiving reports from guardians,
 - (e) reporting to the court on such matters relating to proceedings under the Guardianship (Missing Persons) Act 2017 as the court requires,
 - (f) dealing with representations (including complaints) about the way in which a guardian is exercising the guardian's functions, and
 - (g) publishing, in any manner the Public Guardian thinks appropriate, information about the exercise of his or her functions in connection with guardians and guardianship orders.”
- (3) In subsection (3), after “this Act” insert “ or the Guardianship (Missing Persons) Act 2017 ”.
- (4) In subsection (4)—
 - (a) in paragraph (a), after “court” insert “ or guardians ”, and
 - (b) after paragraph (f) insert—
 - “(g) the making of reports to the Public Guardian by guardians.”
- (5) In subsection (5), after “functions” insert “ in relation to lasting powers of attorney or deputies ”.

Changes to legislation: There are currently no known outstanding effects for the Guardianship (Missing Persons) Act 2017, Cross Heading: Supervision of guardians. (See end of Document for details)

(6) After subsection (6) insert—

“(7) In this section “guardian” and “guardianship order” have the same meaning as in the Guardianship (Missing Persons) Act 2017.”

Commencement Information

- I1** [S. 17](#) in force for specified purposes at Royal Assent, see [s. 25\(2\)](#)
I2 [S. 17](#) in force at 31.7.2019 in so far as not already in force by [S.I. 2019/1032](#), [reg. 3](#)

Changes to legislation:

There are currently no known outstanding effects for the Guardianship (Missing Persons) Act 2017, Cross Heading: Supervision of guardians.