



# Guardianship (Missing Persons) Act 2017

## 2017 CHAPTER 27

### *Applications, intervention and codes of practice*

#### **19 Requirement for applicants to have sufficient interest**

- (1) The court must refuse to hear an application under a provision listed in subsection (2) if it considers that the applicant does not have a sufficient interest in relation to the missing person's property or financial affairs.
- (2) Those provisions are—
  - (a) section 2 (guardianship order);
  - (b) section 9 (accounts and information);
  - (c) section 10 (directions to guardians);
  - (d) section 11 (actions outside guardian's authority);
  - (e) section 12 (variation of guardianship order);
  - (f) section 13 (revocation of guardianship order).
- (3) For the purposes of subsection (1), the following are to be treated as having a sufficient interest—
  - (a) the missing person and the missing person's personal representatives;
  - (b) the missing person's spouse, civil partner, parent, child or sibling;
  - (c) in relation to an application under section 2, a person who was the guardian in respect of some or all of the missing person's property and financial affairs at any time during the period of one year ending with the day on which the application is made;
  - (d) in relation to an application under section 10, 12 or 13, the guardian.