

**Changes to legislation:** There are currently no known outstanding effects for the Adults with Incapacity (Scotland) Act 2000, SCHEDULE 6. (See end of Document for details)

SCHEDULE 6  
(introduced by section 88(3))

REPEALS

**Commencement Information**

- II** Sch. 6 partly in force; Sch. 6 not in force at Royal Assent see s. 89(2); Sch. 6 in force for specified purposes at 2.4.2001 and 1.4.2002 respectively by S.S.I. 2001/81, arts. 2, 3, Schs. 1, 2 (as amended by S.S.I. 2002/172, art. 2); Sch. 6 in force for further specified purposes at 1.10.2003 by S.S.I. 2003/267, art. 2(2)

<i>Enactment</i>	<i>Extent of Repeal</i>
Curators Act 1585 (c.25(S))	The whole Act.
Judicial Factors Act 1849 (12 & 13 Vict. c.51)	In section 1, "and curator bonis" and the words from "the word "tutor"" to "Act 1960" where second occurring. In section 7, the words from "and if any factor" to "not subject to appeal". In section 10, "tutors and curators". Section 25(1). Section 26. In section 27, "or Court of Exchequer, as the case may be," and "tutors and curators". Section 28. In section 31, "tutor or curator" and "or curator bonis". In section 32, "tutor or curator". In section 33, "tutor or curator". In section 34, "tutor, or curator". In section 34A, "tutors and curators" and "tutory or curatory". In section 36, "tutories, and curatories". In section 37, "tutor, or curator". In section 40, the words from "and the manner of applying" to "curators" where first occurring and "tutors, and curators,".
Improvement of Land Act 1864 (27 & 28 Vict. c.114)	In section 24, "tutors," "curators," "tutor," and "curator,".
Titles to Land (Consolidation) (Scotland) Act 1868 (31 & 32 Vict. c.101)	In section 3 in the definition of "judicial factor", "or curators bonis".

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Judicial Factors (Scotland) Act 1880 (43 & 44 Vict. c.4)	In section 3, "a curator bonis".
Judicial Factors (Scotland) Act 1889 (52 & 53 Vict. c.39)	In section 13, "tutor, curator" in both places.
Heritable Securities (Scotland) Act 1894 (57 & 58 Vict. c.44)	In section 13, "tutors, curators".
Trusts (Scotland) Act 1921 (11 & 12 Geo.5 c.58)	In section 2 in each of the definitions of "trust" and "trust deed" the words "tutor, curator, guardian or" and in the definition of "trustee" the words "tutor, curator, guardian"; in the definition of "judicial factor" the words "or curator"; the definitions of "curator", "tutor" and "guardian".
U.S.A. Veterans' Pensions Act 1949 (12 & 13 Geo.6 c.45)	In section 1(4), "tutor, factor loco tutoris," and "curator bonis or".
Medicines Act 1968 (c.67)	In section 72(3)(d) and (4)(c), "curator bonis,".
Solicitors (Scotland) Act 1980 (c.46)	In section 18(1)(a), "or becomes subject to guardianship".
Mental Health Act 1983 (c.20)	In section 110, in subsection (1) "curator bonis, tutor or"; in subsection (2) "curator bonis, tutor, or".
Mental Health (Scotland) Act 1984 (c.36)	In section 3 in subsection (1) "guardianship or"; in subsection (2)(b), "or who are subject to guardianship". In section 5(2) "or subject to guardianship under the following provisions of this Act". In section 7(1)(b), "under the following provisions of this Act". In section 10(1)(b) "the following provisions of this Act or under". In section 29 in subsection (1), paragraphs (b) and (c) and "or" which precedes them; in subsection (2), "or, as the case may be, by the local authority concerned"; in subsection (3), paragraph (b). Sections 36 to 52. In section 53(3), "or his reception into guardianship". Section 55(3). In section 57(4), "or subject to guardianship" and "or so subject" wherever occurring. In section 59, subsections (1)(b) and (2) and in subsection (3), "or 44".

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#### Section 61.

In section 76(1) paragraph (b) and “, a guardianship order”.

In section 77, in subsection (1) “or subject to guardianship” and “or, as the case may be, for receiving him into guardianship”; subsection (3).

In section 78, in subsection (1), “or reception into guardianship”; in subsection (2), “or his reception into guardianship”.

In section 80(1), “or subject to guardianship” and “or, as the case may be, for receiving him into guardianship”.

#### Section 84(4).

In section 87(1), “or subject to guardianship” and “or placed under guardianship.”

In section 92, subsection (1) and in subsection (2)(a), “or subject to guardianship thereunder”.

#### Sections 93 and 94.

In section 105(2), “subject to his guardianship under this Act or otherwise”.

In section 107(1)(b), “subject to his guardianship under this Act or is otherwise”.

In section 108(1)(a), “or being subject to guardianship”.

In section 110 in subsection (1), “, or in the case of a patient subject to guardianship, the local authority concerned”, “or subject to guardianship”, “or guardianship” in both places, “or his reception into guardianship”; in subsection (4), “or, as the case may be, the local authority concerned in relation to a patient subject to guardianship as aforesaid”.

In section 112, “or his reception into guardianship”.

In section 113(1), “or for reception into guardianship”.

In section 119, “guardianship under this Act”.

In section 121 in subsection (1)(b), “or subject to guardianship”, “or 44”; in subsection (2), “or subject to guardianship”, “or 44”, “and subsection (2) of the said section 44”; in subsection (6), the words from “(in the case of” where first occurring

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	to “guardianship”, “or section 44”, “respectively”, “or the said section 44 (as the case may be)”.
	In section 125 in subsection (4), “or subject to guardianship”; in subsection (5), “or received, or liable to be received, into guardianship”, “(other than under Part V thereof)”, “or received or liable to be received into guardianship”.
Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c.40)	Section 71.
Criminal Procedure (Scotland) Act 1995 (c.46)	In section 59(2), “or section 39”.
	In section 61(1), “or section 39”.
	In section 230(1), “or 39”.
	In schedule 4, in paragraph 2(1)(b), “or 39”.

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