



Adults with Incapacity (Scotland) Act 2000

2000 asp 4

[^{F1}PART 3

ACCOUNTS AND FUNDS

Applications: general

[^{F1}27A Countersigning of applications

- (1) An application under section 24C, 24D, 25, or 26B must be countersigned by a person who must declare in the application that—
 - (a) the person knows the applicant and has known the applicant for at least one year prior to the date of the application;
 - (b) the person is not any of the following—
 - (i) a relative of or person residing with the applicant or the adult;
 - (ii) a director or employee of the fundholder;
 - (iii) a solicitor acting on behalf of the adult or any other person mentioned in this paragraph in relation to any matter under this Act;
 - (iv) the medical practitioner who has issued the certificate under section 27B in connection with the application;
 - (v) a guardian of the adult;
 - (vi) a welfare or continuing attorney of the adult;
 - (vii) a person who is authorised under an intervention order in relation to the adult;
 - (c) the person believes the information contained in the application to be true; and
 - (d) the person believes the applicant to be a fit and proper person to intrude with the adult's funds.
- (2) An application under section 26D (reserve withdrawers) must be countersigned by a person who must declare in the application the matters set out in paragraphs (a) to (d) of subsection (1) but with references in those paragraphs to “applicant” read as references to the proposed reserve withdrawer.

Changes to legislation: There are currently no known outstanding effects for the Adults with Incapacity (Scotland) Act 2000, Section 27A. (See end of Document for details)

(3) This section does not apply to an application made by a body.]

Textual Amendments

- F1** Pt. 3 substituted (1.4.2008) by [Adult Support and Protection \(Scotland\) Act 2007 \(asp 10\)](#), **ss. 58**, [79\(3\)](#); [S.S.I. 2008/49](#), [art. 2\(1\)](#) (with [arts. 34](#))

Changes to legislation:

There are currently no known outstanding effects for the Adults with Incapacity (Scotland) Act 2000, Section 27A.