



# Adults with Incapacity (Scotland) Act 2000

2000 asp 4

## PART 3

### ACCOUNTS AND FUNDS

#### 34 Disapplication of Part 3

- (1) This Part shall not apply in the case of an adult in relation to whom—
- (a) there is a guardian or continuing attorney with powers relating to the funds or account in question; or
  - (b) an intervention order has been granted relating to the funds or account in question,
- but no liability shall be incurred by any person who acts in good faith under this Part in ignorance of any such appointment or grant.
- (2) In this section any reference to—
- (a) a guardian shall include a reference to a guardian (however called) appointed under the law of any country to, or entitled under the law of any country to act for, an adult during his incapacity, if the guardianship is recognised by the law of Scotland;
  - (b) a continuing attorney shall include a reference to a person granted, under a contract, grant or appointment governed by the law of any country, powers (however expressed), relating to the granter's property or financial affairs and having continuing effect notwithstanding the granter's incapacity.