



Adults with Incapacity (Scotland) Act 2000

2000 asp 4

PART 4

MANAGEMENT OF RESIDENTS' FINANCES

39 Matters which may be managed

- (1) The matters which may be managed under this Part by the managers of an authorised establishment are—
- claiming, receiving, holding and spending any pension, benefit, allowance or other payment other than under the Social Security Contributions and Benefits Act 1992 (c. 4);
 - claiming, receiving, holding and spending any money to which a resident is entitled;
 - holding any other moveable property to which the resident is entitled;
 - disposing of such moveable property,
- and in this Part these matters, or any of them, are referred to as residents' affairs; and cognate expressions shall be construed accordingly.
- (2) In managing these matters, the managers of an authorised establishment shall—
- act only for the benefit of the resident; and
 - have regard to the sentimental value that any item might have for the resident, or would have but for the resident's incapacity.
- (3) The managers of an authorised establishment shall not, without the consent of the supervisory body, manage any matter if that matter has a value greater than that which is prescribed for the purposes of this subsection.
- (4) The supervisory body may in relation to an individual resident permit the managers of the authorised establishment to manage any matter which has a value greater than that which is prescribed in relation to it under subsection (3).
- (5) For the purpose of this section, "manage" denotes no greater responsibility than complying with the duties set out in this section.