



# Adults with Incapacity (Scotland) Act 2000

2000 asp 4

## PART 4

### MANAGEMENT OF RESIDENTS' FINANCES

#### **42 Authorisation of named manager to withdraw from resident's account**

- (1) On an application in writing by the managers of an authorised establishment the supervisory body may issue a certificate of authority under this section in relation to any resident named in the application.
- (2) An application under subsection (1) shall specify one or more persons (being managers, officers or members of staff of the establishment) who shall exercise the authority conferred by this section.
- (3) A certificate of authority shall be signed by the officer of the supervisory body authorised by the body to do so and shall—
  - (a) specify accounts or other funds of the resident;
  - (b) name the persons specified in the application (the “authorised persons”);
  - (c) specify the period of validity of the certificate of authority, being a period not exceeding the period of validity of the certificate issued under section 37(2).
- (4) The authorised persons may make withdrawals from such account or source of funds of the named resident as is specified in the certificate of authority and the fundholder may make payments accordingly.
- (5) The supervisory body may at any time after it has issued a certificate of authority, revoke it and if it does so it shall notify the fundholder of the revocation.

**Changes to legislation:**

There are currently no known outstanding effects for the Adults with Incapacity (Scotland) Act 2000, Section 42.