

*These notes relate to the Adults with Incapacity (Scotland)
Act 2000 (asp 4) which received Royal Assent on 9 May 2000*

ADULTS WITH INCAPACITY (SCOTLAND) ACT 2000

EXPLANATORY NOTES

THE ACT

Part 4: Management of Residents' Finances

Section 44: Resident ceasing to be resident of authorised establishment

160. Subsection (1) provides that when a resident leaves an authorised establishment or gains capacity to look after their own affairs the managers of that establishment may continue to manage the resident's affairs for up to 3 months to enable other suitable arrangements to be made.
161. Subsection (2) requires the managers to provide a financial statement of the resident's affairs after the transitional period in subsection (1).
162. Subsection (3) requires the managers of the establishment which the resident has left to transfer the former resident's affairs to the establishment, authority or person who will be responsible for their management in future. If the resident has recovered capacity they will resume responsibility for their own affairs.
163. Subsection (4) requires the managers to inform the supervisory body, and in certain circumstances the local authority, of the fact that a resident has ceased to reside in the establishment, within 14 days of leaving.