



Adult Support and Protection (Scotland) Act 2007

2007 asp 10

PART 1

PROTECTION OF ADULTS AT RISK OF HARM

Removal orders

18 Protection of moved person's property

- (1) The council must take reasonable steps to prevent any property owned or controlled by a person moved in pursuance of a removal order from being lost or damaged because—
 - (a) the moved person is unable to protect, care for or otherwise deal with it, and
 - (b) no other suitable arrangements have been or are being made for the purposes of preventing such loss or damage.
- (2) A council officer may enter any place which the council knows or believes to contain any property in respect of which it has a duty under subsection (1) in order to enable or assist the council to perform that duty.
- (3) A right to enter any place under subsection (2) includes a right to enter any adjacent place for the same purpose.
- (4) A council officer who finds any property in respect of which the council has a duty under subsection (1) may do anything which the officer considers reasonably necessary in order to prevent the property from being lost or damaged (and may, in particular, move the property to another place).
- (5) The council is not entitled to recover from a moved person any expenses it incurs in performing functions under this section in relation to property owned or controlled by that person.
- (6) The duty imposed by subsection (1) applies only while the removal order concerned has effect.

Changes to legislation: There are currently no known outstanding effects for the Adult Support and Protection (Scotland) Act 2007, Section 18. (See end of Document for details)

- (7) A council which moves any property in pursuance of the duty imposed by subsection (1) must, as soon as is reasonably practicable after the removal order concerned ceases to have effect, return the property to the adult concerned.

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Commencement Information

II [S. 18](#) in force at 29.10.2008 by [S.S.I. 2008/314](#), [art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Adult Support and Protection (Scotland) Act 2007, Section 18.