



Adult Support and Protection (Scotland) Act 2007

2007 asp 10

PART 1

PROTECTION OF ADULTS AT RISK OF HARM

Introductory

2 Principles for performing Part 1 functions

A public body or office-holder performing a function under this Part in relation to an adult must, if relevant, have regard to—

- (a) the general principle on intervention in an adult's affairs,
- (b) the adult's ascertainable wishes and feelings (past and present),
- (c) any views of—
 - (i) the adult's nearest relative,
 - (ii) any primary carer, guardian or attorney of the adult, and
 - (iii) any other person who has an interest in the adult's well-being or property,which are known to the public body or office-holder,
- (d) the importance of—
 - (i) the adult participating as fully as possible in the performance of the function, and
 - (ii) providing the adult with such information and support as is necessary to enable the adult to so participate,
- (e) the importance of ensuring that the adult is not, without justification, treated less favourably than the way in which any other adult (not being an adult at risk) might be treated in a comparable situation, and
- (f) the adult's abilities, background and characteristics (including the adult's age, sex, sexual orientation, religious persuasion, racial origin, ethnic group and cultural and linguistic heritage).

Changes to legislation: *There are currently no known outstanding effects for the Adult Support and Protection (Scotland) Act 2007, Section 2. (See end of Document for details)*

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Commencement Information

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

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