



# Adults with Incapacity (Scotland) Act 2000

2000 asp 4

## [<sup>F1</sup>PART 3

### ACCOUNTS AND FUNDS

#### *Authority to take preliminary steps*

#### [<sup>F1</sup>24D Authority to open account in adult's name

- (1) This section applies where—
  - (a) a person believes that—
    - (i) an adult holds funds;
    - (ii) an adult is entitled to income or other payments or is likely to become so entitled; or
    - (iii) a fundholder holds funds on behalf of an adult; but
  - (b) the adult does not have a suitable account in the adult's sole name in which the funds, income or other payments can be placed for the purposes of intromitting with the adult's funds under this Part.
- (2) Where this section applies, the person may apply to the Public Guardian for a certificate authorising the opening of an account in the adult's name for the purpose of intromitting with the adult's funds.
- (3) Where the Public Guardian grants an application under subsection (2), the Public Guardian must issue the certificate to the applicant.
- (4) The certificate issued under subsection (3) may specify the kind of account which may be opened by a fundholder.
- (5) A fundholder presented with a certificate issued under subsection (3) may open an account in the adult's name.
- (6) But, if the certificate specifies a kind of account, the fundholder may open only an account of the type specified.

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*Changes to legislation: There are currently no known outstanding effects for the Adults with Incapacity (Scotland) Act 2000, Section 24D. (See end of Document for details)*

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(7) On an account being opened in pursuance of subsection (5), the applicant must notify prescribed particulars of the account to the Public Guardian.]

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**Textual Amendments**

**F1** Pt. 3 substituted (1.4.2008) by [Adult Support and Protection \(Scotland\) Act 2007 \(asp 10\)](#), **ss. 58**, [79\(3\)](#); [S.S.I. 2008/49](#), [art. 2\(1\)](#) (with [arts. 34](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Adults with Incapacity (Scotland) Act 2000, Section 24D.