

SCHEDULES

SCHEDULE 3

INTERNATIONAL PROTECTION OF ADULTS

PART 1

PRELIMINARY

Introduction

- 1 This Part applies for the purposes of this Schedule.

The Convention

- 2 (1) “Convention” means the Convention referred to in section 63.
(2) “Convention country” means a country in which the Convention is in force.
(3) A reference to an Article or Chapter is to an Article or Chapter of the Convention.
(4) An expression which appears in this Schedule and in the Convention is to be construed in accordance with the Convention.

Countries, territories and nationals

- 3 (1) “Country” includes a territory which has its own system of law.
(2) Where a country has more than one territory with its own system of law, a reference to the country, in relation to one of its nationals, is to the territory with which the national has the closer, or the closest, connection.

Adults with incapacity

- 4 “Adult” means a person who—
(a) as a result of an impairment or insufficiency of his personal faculties, cannot protect his interests, and
(b) has reached 16.

Protective measures

- 5 (1) “Protective measure” means a measure directed to the protection of the person or property of an adult; and it may deal in particular with any of the following—
(a) the determination of incapacity and the institution of a protective regime,
(b) placing the adult under the protection of an appropriate authority,
(c) guardianship, curatorship or any corresponding system,

Status: This is the original version (as it was originally enacted).

- (d) the designation and functions of a person having charge of the adult's person or property, or representing or otherwise helping him,
 - (e) placing the adult in a place where protection can be provided,
 - (f) administering, conserving or disposing of the adult's property,
 - (g) authorising a specific intervention for the protection of the person or property of the adult.
- (2) Where a measure of like effect to a protective measure has been taken in relation to a person before he reaches 16, this Schedule applies to the measure in so far as it has effect in relation to him once he has reached 16.

Central Authority

- 6 (1) Any function under the Convention of a Central Authority is exercisable in England and Wales by the Lord Chancellor.
- (2) A communication may be sent to the Central Authority in relation to England and Wales by sending it to the Lord Chancellor.