

SCHEDULE 1

Article 2

PROVISIONS OF THE ACT BROUGHT INTO FORCE
BY ARTICLE 2 OF THIS ORDER ON 2ND APRIL 2001

<i>Column 1</i> <i>Provision of the Act</i>	<i>Column 2</i> <i>Subject matter</i>	<i>Column 3</i> <i>Purposes</i>
Section 1	General principles and fundamental definitions	
Section 2	Applications and other proceedings and appeals	
Section 3	Powers of sheriff	
Section 4	Power of Court of Session or sheriff with regard to nearest relative	
Section 5	Safeguarding of interests in Court of Session appeals or proceedings	
Section 6(1), (2)(b)(i) to (iii), (2)(c)(i) and (ii), (2)(d)	The Public Guardian and his functions	
Section 6(2)(e)	”	” Only for the purpose of bringing into force this provision insofar as it relates to continuing attorneys or withdrawers
Section 6(2)(f), (3)(b)	”	”
Section 7	The Public Guardian: further provision	
Section 8	Expenses in court proceedings	
Section 9(1)(a) to (c), (d)(i), (e), (f)	Functions of the Mental Welfare Commission	
Section 9(1)(g)	”	” Only for the purpose of bringing into force this provision insofar as it relates to welfare attorneys
Section 9(2)	”	” Only for the purpose of bringing into force this provision insofar as it relates to welfare attorneys
Section 9(3)(b)	”	”
Sections 10(1)(b), (1)(c)(i), (1)(d)	Functions of local authorities	
Section 10(1)(e)	”	” Only for the purpose of bringing into force this

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		provision insofar as it relates to welfare attorneys
Section 10(2), (3)(b)(ii), (4)(b)	Functions of local authorities	
Section 11	Intimation not required in certain circumstances	
Section 12	Investigations	Only for the purpose of bringing into force this provision insofar as it relates to investigations in relation to continuing attorneys, welfare attorneys and intromission with funds under Part 3 of the Act
Section 13	Codes of practice	
Section 14	Appeal against decision as to incapacity	
Section 15	Creation of continuing power of attorney	
Section 16	Creation and exercise of welfare power of attorney	
Section 17	Attorney not obliged to act in certain circumstances	
Section 18	Power of attorney not granted in accordance with this Act	
Section 19	Registration of continuing or welfare power of attorney	
Section 20	Powers of sheriff	
Section 21	Records: attorneys	
Section 22	Notification to Public Guardian	
Section 23	Resignation of continuing or welfare attorney	
Section 24(1) and (4)	Termination of continuing or welfare power of attorney	
Section 25	Authority to intromit with funds	
Section 26	Application for authority to intromit	
Section 27	Notification of change of address	

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Section 28	Purposes of intromission with funds	
Section 29	Withdrawal and use of funds	
Section 30	Records and inquiries	
Section 31	Duration and termination of registration	
Section 32	Joint accounts	
Section 33	Transfer of funds	
Section 34	Disapplication of Part 3 of the Act	
Section 81(1)(a) to (c)	Repayment of funds	
Section 81(2)	”	” Only for the purpose of bringing into force this provision insofar as it relates to section 82 of the Act
Section 82(1)	Limitation of liability	Only for the purpose of bringing into force this provision insofar as it relates to continuing attorneys, welfare attorneys and withdrawers
Section 82(2)(b) and (c)	”	”
Section 83	Offence of ill treatment and wilful neglect.	
Section 85	Jurisdiction and private international law	Only for the purpose of bringing into force the provisions of Schedule 3 to the Act specified below
Section 86	Regulations	
Section 87	Interpretation	
Section 88	Continuation of existing powers, minor and consequential amendments and repeals	Only for the purpose of bringing into force the provisions of Schedules 4, 5 and 6 to the Act specified below
Schedule 3, paragraphs 1(1) and (5), 2(1), (3) and (4), 3, 4, 5, 6, 7(1), (2)(a), (3)(a) to (d), 8, 9, 10, 13 and 14	Jurisdiction and private international law	
Schedule 4, paragraphs 4, 7(a) to (c), and 8	Continuation of existing curators, tutors, guardians and attorneys under this Act	

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Schedule 5: Paragraph 2	Minor and Consequential Amendments – Defence Act 1842 (c. 94)	
Paragraph 3	Judicial Factors Act 1849 (c. 51)	
Paragraph 5	Titles to Land (Consolidation) (Scotland) Act 1868 (c. 101)	
Paragraph 6	Judicial Factors (Scotland) Act 1889 (c. 39)	
Paragraph 7	Heritable Securities (Scotland) Act 1894 (c. 44)	Only for the purpose of bringing into force this provision insofar as it relates to continuing and welfare attorneys and withdrawers
Paragraph 9	Offices Shops and Railway Premises Act 1963 (c. 41)	Only for the purpose of bringing into force this provision insofar as it relates to continuing and welfare attorneys and withdrawers
Paragraph 13	Sheriff Courts (Scotland) Act 1971 (c. 58)	
Paragraph 14	Land Registration (Scotland) Act 1979 (c. 33)	
Paragraph 17(3) to (21), (24) (b)	Mental Health (Scotland) Act 1984 (c. 36)	Only for the purpose of bringing into force these provisions insofar as they relate to welfare attorneys
Paragraph 19	Legal Aid (Scotland) Act 1986 (c. 47)	
Paragraph 22	Child Support Act 1991 (c. 48)	Only for the purpose of bringing into force this provision insofar as it relates to welfare attorneys
Paragraph 23	Social Security Administration Act 1992 (c. 5)	Only for the purpose of bringing into force this provision insofar as it relates to welfare attorneys
Paragraph 25	Clean Air Act 1993 (c. 11)	
Schedule 6	Repeals	Only for the purpose of bringing into force the repeal of section 71 of the Law Reform (Miscellaneous

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		Provisions) (Scotland) Act 1990 (c. 40)