

**2002 No. 131**

**ADULTS WITH INCAPACITY**

**The Adults with Incapacity (Public Guardian's Fees)  
(Scotland) Amendment Regulations 2002**

*Made* 14th March 2002

*Laid before the Scottish Parliament* 14th March 2002

*Coming into force* 22nd April 2002

The Scottish Ministers, in exercise of the powers conferred by sections 7(2) and 86(2) of the Adults with Incapacity (Scotland) Act 2000(a) and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation and commencement**

**1.** These Regulations may be cited as the Adults with Incapacity (Public Guardian's Fees) (Scotland) Amendment Regulations 2002 and shall come into force on 22nd April 2002.

**Amendment of the principal regulations**

**2.—(1)** The Schedule to the Adults with Incapacity (Public Guardian's Fees) (Scotland) Regulations 2001(b) is amended in accordance with the following paragraphs.

(2) In paragraph 3, for "certificate of registration issued under section 19(2) of the Act" there is substituted "certificate issued under the Act".

(3) At the end, there are inserted the paragraphs set out in the Schedule to these Regulations.

*JAMES R WALLACE*  
A member of the Scottish Executive

St Andrew's House,  
Edinburgh  
14th March 2002

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(a) 2000 asp 4. See section 87(1) for the definition of "prescribe" and section 86(1) as to power to make regulations.  
(b) S.S.I. 2001/75.

## SCHEDULE

## AMENDMENT OF TABLE OF FEES PAYABLE TO PUBLIC GUARDIAN

<i>Column 1</i>	<i>Column 2</i>
<b>9.</b> Registration under section 6(2) of the Act of– (a) a guardianship order; (b) an intervention order; (c) a variation of a guardianship order; (d) a variation of an intervention order; or (e) a renewal of a guardianship order, made under Part 6 of the Act (including, where appropriate, checking caution and issuing certificates)	£35
<b>10.</b> Authorisation of a gift out of the adult's estate under section 66(1) of the Act, where the gift has a value in excess of £2,500	£35
<b>11.</b> Grant of discharge of a guardian under section 72(1) of the Act– (a) for an estate with no heritable property (b) for an estate with heritable property	£35 £75
<b>12.</b> Recall of the powers of a guardian under section 73 of the Act– (a) for an estate with no heritable property (b) for an estate with heritable property	£35 £75
<b>13.</b> Approval of guardian's management plan and inventory, in accordance with paragraphs 1 and 3 of schedule 2 to the Act– Estate value (excluding heritable property) £0 to £30,000 £30,001 to £50,000 £50,001 to £100,000 £100,001 to £500,000 £500,001 and over	£35 £150 £300 £500 £750
<b>14.</b> Granting an application for consent made in accordance with paragraph 6 of schedule 2 to the Act	£100
<b>15.</b> Audit of accounts submitted in accordance with paragraph 7 of schedule 2 to the Act– Estate value (excluding heritable property) £0 to £30,000 £30,001 to £50,000 £50,001 to £100,000 £100,001 to £250,000 £250,001 to £750,000 £750,001 to £2,000,000 £2,000,001 and over	£50 £125 £350 £450 £600 £1,200 £1,750

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Adults with Incapacity (Public Guardian's Fees) (Scotland) Regulations 2001 to make provision for the fees which may be charged by the Public Guardian for providing certain services under Part 6 of the Adults with Incapacity (Scotland) Act 2000 (regulation 2 and Schedule).

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