
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2008 No.

The Adults with Incapacity (Electronic Communications) (Scotland) Order 2008

Electronic registration of powers of attorney

2. After section 19 (registration of continuing or welfare power of attorney) of the Adults with Incapacity (Scotland) Act 2000(1), insert—

“Electronic copies

19A

- (1) The Public Guardian may, for the purposes of section 19—
- (a) accept a copy of a document conferring a power of attorney sent electronically, instead of the original, to the Public Guardian’s email address, and
 - (b) register the copy document accordingly.
- (2) The Public Guardian may refuse to accept a copy document unless it is—
- (a) sent by such person or type of person, and
 - (b) received in such format,

as the Public Guardian may from time to time direct.

This subsection does not limit the Public Guardian’s general discretion to accept a copy document in pursuance of subsection (1).

(3) References in this Part to documents registered (or sent for registration) under section 19 include references to copy documents registered (or sent) in pursuance of subsection (1).”.