

*These notes relate to the Adults with Incapacity (Scotland)
Act 2000 (asp 4) which received Royal Assent on 9 May 2000*

ADULTS WITH INCAPACITY (SCOTLAND) ACT 2000

EXPLANATORY NOTES

THE ACT

Part 1: General

Judicial proceedings

Section 2: Applications and other proceedings and appeals

18. This section covers procedures of the sheriff court that will be the forum for dealing with many applications and other matters under the Act.
19. Subsection (2) says that applications to the sheriff under the Act are to be by summary application, which allows them to be made speedily and simply.
20. Subsection (3) sets out how appeals may be made against any decision made by a sheriff in an application to the courts under the legislation.
21. Subsection (4) allows Sheriff Court rules, which determine in detail how the sheriff court functions, to set out the type of evidence the sheriff is to consider in deciding whether intimations to the adult of application about them should be withheld. In most cases this is likely to be medical evidence.