



Adults with Incapacity (Scotland) Act 2000

2000 asp 4

[^{F1}PART 3

ACCOUNTS AND FUNDS

Withdrawal certificates

[^{F1}26A Withdrawal certificates

- (1) A withdrawal certificate may—
 - (a) authorise the transfer of funds—
 - (i) from the adult's current account to the designated account;
 - (ii) from the adult's current account to the adult's second account;
 - (iii) from the designated account to the adult's second account;
 - (b) authorise the continuance or making of arrangements for the regular or occasional payment of funds from the adult's current account for specified purposes (for example: by standing order or direct debit);
 - (c) authorise the withdrawal of funds from the designated account for specified purposes;
 - (d) place limits on the amount of funds that may be so transferred, paid or withdrawn.
- (2) But such a certificate does not authorise a transfer of funds or payment that would cause—
 - (a) the adult's current account;
 - (b) the adult's second account; or
 - (c) the designated account,to become overdrawn.
- (3) If any of the accounts mentioned in paragraphs (a) to (c) of subsection (2) is overdrawn, the fundholder of that account has a right of relief against the withdrawer.
- (4) In subsection (1)(b), “specified” means specified in the certificate of appointment.]

Changes to legislation: There are currently no known outstanding effects for the Adults with Incapacity (Scotland) Act 2000, Section 26A. (See end of Document for details)

Textual Amendments

- F1** Pt. 3 substituted (1.4.2008) by [Adult Support and Protection \(Scotland\) Act 2007 \(asp 10\)](#), **ss. 58, 79(3)**; [S.S.I. 2008/49](#), **art. 2(1)** (with **arts. 34**)

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