



Adults with Incapacity (Scotland) Act 2000

2000 asp 4

PART 7

MISCELLANEOUS

[^{F1}81A Public Guardian's power to obtain records

- (1) The Public Guardian may, when carrying out an investigation under section 6(2)(c) or (d) or inquiries under section 30B(2)—
 - (a) require any person falling within subsection (2) to provide the Public Guardian with—
 - (i) the person's records of the exercise of the person's powers in relation to the adult to whom the investigation relates; and
 - (ii) such other information relating to the exercise of those powers as the Public Guardian may reasonably require,
 - (b) require any person who holds (or who has held) funds on behalf of the adult to whom the investigation relates to provide the Public Guardian with—
 - (i) its records of the account; and
 - (ii) such other information relating to those accounts as the Public Guardian may reasonably require.
- (2) A person falls within this subsection if the person is or has been—
 - (a) a continuing attorney appointed by the adult to whom the investigation relates;
 - (b) a withdrawer with authority to intromit with that adult's funds;
 - (c) a person authorised under an intervention order to act in relation to that adult; or
 - (d) that adult's guardian.
- (3) A fundholder may charge a reasonable fee for complying with a requirement under subsection (1)(b) and may recover that fee from the account concerned.]

Changes to legislation: There are currently no known outstanding effects for the Adults with Incapacity (Scotland) Act 2000, Section 81A. (See end of Document for details)

Textual Amendments

- F1** S. 81A inserted (5.10.2007) by [Adult Support and Protection \(Scotland\) Act 2007 \(asp 10\)](#), **ss. 61**, 79; [S.S.I. 2007/334](#), **art. 2(b)**, [Sch. 2](#) (with savings in arts. 4-6)

Modifications etc. (not altering text)

- C1** S. 81A modified (temp.) (20.6.2007) by [The Adult Support and Protection \(Scotland\) Act 2007 \(Commencement No. 1, Transitional Provision and Savings\) Order 2007 \(S.S.I. 2007/334\)](#), **art. 3**

Changes to legislation:

There are currently no known outstanding effects for the Adults with Incapacity (Scotland) Act 2000, Section 81A.