

### SCHEDULE 3 CHILDREN AND VULNERABLE ADULTS

#### PART 2

##### VULNERABLE ADULTS

###### *Care of adults with incapacity*

- 11 (1) The Social Work (Scotland) Act 1968 has effect as if section 13ZA (provision of services to incapable adults) were modified as follows—
- (a) in subsection (3), for “to (4)” there were substituted “and (3)”,
  - (b) subsection (4) were repealed.
- (2) The Criminal Procedure (Scotland) Act 1995 has effect as if section 58A (application of Adults with Incapacity (Scotland) Act 2000 to guardianship orders) were modified by the insertion, after subsection (5), of the following—
- “(5A) The period mentioned in subsection (5) does not, unless it is an indefinite period, run during any period for which this subsection has effect.
  - (5B) The guardianship order continues to have effect during any period for which subsection (5A) has effect.
  - (5C) Nothing in subsection (5B) affects any other ground on which the order may cease to have effect.”.
- (3) The Adults with Incapacity (Scotland) Act 2000 has effect as if it were modified as follows—
- (a) in section 47 (authority of persons responsible for medical treatment) after subsection (2) there were inserted—
    - “(2ZA) The period mentioned in subsection (2) does not run during any period for which this subsection has effect.
    - (2ZB) The certificate continues to have effect during any period for which subsection (2ZA) has effect.
    - (2ZC) Nothing in subsection (2ZB) affects any other ground on which the certificate may cease to have effect.”,
  - (b) in section 58 (disposal of application for guardianship order) after subsection (4) there were inserted—
    - “(4A) The period mentioned in subsection (4) does not, unless it is an indefinite period, run during any period for which this subsection has effect.
    - (4B) The order continues to have effect during any period for which subsection (4A) has effect.
    - (4C) Nothing in subsection (4B) affects any other ground on which the order may cease to have effect.”,
  - (c) in section 60 (renewal of guardianship order by sheriff) after subsection (4) there were inserted—

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*Status: This is the original version (as it was originally enacted).*

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- “(4ZA) The period mentioned in section 58(4), as substituted by subsection (4)(b), does not, unless it is an indefinite period, run during any period for which this subsection has effect.
- (4ZB) The order continues to have effect during any period for which subsection (4ZA) has effect.
- (4ZC) Nothing in subsection (4ZB) affects any other ground on which the order may cease to have effect.”.