



# Guardianship (Missing Persons) Act 2017

## 2017 CHAPTER 27

### *Variation and revocation of guardianship orders*

#### **12 Variation of guardianship order**

- (1) The court may make an order varying a guardianship order, on an application or without an application being made.
- (2) It may do so only if it is satisfied that—
  - (a) the person whose property or financial affairs are the subject of the guardianship order is missing,
  - (b) the absence condition or the urgency condition is met, and
  - (c) in all the circumstances, the proposed variation is in the missing person's best interests (see section 18),(and see also sections 19 and 20).
- (3) The power under subsection (1) includes power to—
  - (a) appoint a different person to be the guardian;
  - (b) add or remove property or financial affairs, subject to subsection (4);
  - (c) add, remove or alter conditions or restrictions;
  - (d) alter the period for which the guardian is appointed, subject to subsection (5);
  - (e) do anything else that the court could do on making a guardianship order.
- (4) Where the court varies a guardianship order in circumstances in which the urgency condition (but not the absence condition) is met, it may only make provision in respect of property or financial affairs in respect of which it is satisfied that the urgency condition is met.
- (5) The court may not vary a guardianship order so that the period for which the guardian is appointed ends after the last day of the 4 year period specified in section 7(2).
- (6) The court must send a copy of an order varying a guardianship order to the Public Guardian.