



2016 CHAPTER 18

PART 6

HIGH COURT POWERS: DECISIONS AND DEPUTIES

Decisions and deputies

Appointment of deputies

- 116.**—(1) A deputy appointed by the court must be—
- (a) an individual who is 18 or over; or
 - (b) as respects powers concerning property and affairs, either such an individual or a trust corporation.
- (2) The court may appoint an individual by appointing the holder for the time being of a specified office or position.
- (3) A person may be appointed as a deputy only with that person's consent.
- (4) The court may appoint two or more deputies to act—
- (a) jointly;
 - (b) jointly and severally; or
 - (c) jointly in respect of some matters and jointly and severally in respect of others.
- (5) When appointing a deputy or deputies, the court may at the same time appoint one or more other persons to succeed the existing deputy or those deputies—
- (a) in specified circumstances or on the happening of specified events;
 - (b) for a specified period.

(6) A deputy is to be treated as P's agent in relation to anything done or decided by the deputy within the scope of the deputy's appointment and in accordance with this Act.

(7) The deputy is entitled—

- (a) to be reimbursed out of P's property for the deputy's reasonable expenses in discharging the deputy's functions; and
- (b) if the court so directs when appointing the deputy, to remuneration out of P's property for discharging them.

(8) The court may confer on a deputy powers to—

- (a) take possession or control of all or any specified part of P's property;
- (b) exercise all or any specified powers in respect of it, including such powers of investment as the court may determine.

(9) The court may require a deputy—

- (a) to give to the Public Guardian such security as the court considers appropriate for the proper performance of the deputy's functions; and
- (b) to submit to the Public Guardian such reports at such times or at such intervals as the court may direct.

(10) In this section "specified" means specified by the court.