



# Guardianship (Missing Persons) Act 2017

## 2017 CHAPTER 27

### *Guardianship orders*

#### **2 Applying for a guardianship order**

- (1) A person may apply to the court for an order appointing a guardian in respect of some or all of a missing person's property and financial affairs (a "guardianship order").
- (2) The court has jurisdiction to hear and determine an application under this section in relation to property or financial affairs of a missing person only if—
  - (a) the person was domiciled in England and Wales on the day before he or she was first known to be missing,
  - (b) the person had been habitually resident in England and Wales throughout the period of one year ending with that day, or
  - (c) the application is made by the person's spouse or civil partner and the applicant—
    - (i) is domiciled in England and Wales on the day on which the application is made, or
    - (ii) has been habitually resident in England and Wales throughout the period of one year ending with that day.
- (3) If a person is missing for two or more separate periods, the reference in subsection (2) (a) to the day before he or she was first known to be missing is to be read as a reference to the day before the latest period began.