

### Question 15.a.

#### Article 241

(Conditions to be fulfilled by a guardian)

They following persons may not become a guardian:

- if their parental responsibility was withdrawn from them;
- they have no capacity to contract;
- their interests are in conflict with the interests of the ward;
- they have concluded with the ward a contract of lifelong maintenance;
- their spouse or cohabitant concluded with the ward a contract of lifelong maintenance;
- due to their personal characteristics or relations to the ward or the ward's parents, they may not be expected to correctly carry out their guardianship duties.

#### Article 242

(Person of guardian)

(1) As far as possible and if not in conflict with the ward's interests, the ward's spouse, cohabitant or a relative shall be appointed guardian.

(2) A guardian may also be a legal person that shall appoint one of its employees as the responsible person for carrying out guardianship duties.

#### Article 244

(Social work centre as guardian)

(1) A social work centre or court may decide to appoint a social work centre as guardian to a person. The social work centre shall appoint one of its workers as the responsible person for carrying out guardianship duties.

(2) The social work centre or the court may, by way of a decision, restrict the guardian's rights and decide that certain duties shall be carried out by the social work centre.

The Family Code does not require trainings or education for guardians. If necessary, the guardian can authorize another person (e.g. a lawyer) for an individual task (e.g. representation in court proceedings).