



# Children's Hearings (Scotland) Act 2011

## 2011 asp 1

### PART 10

#### PROCEEDINGS BEFORE SHERIFF

##### *Application for extension or variation of interim compulsory supervision order*

#### **98 Application for extension or variation of interim compulsory supervision order**

- (1) This section applies where—
- (a) a child is subject to an interim compulsory supervision order (“the current order”), and
  - (b) [<sup>F1</sup>either—
    - (i) the current order is made under section 93(5) and] by virtue of section 96(4) a children's hearing would be unable to make a further interim compulsory supervision order<sup>F2</sup>, or
    - (ii) the current order is made under section 100(2).]
- (2) The Principal Reporter may, before the expiry of the current order, apply to the sheriff for an extension of the order.
- (3) The Principal Reporter may, at the same time as applying for an extension of the current order, apply to the sheriff for the order to be varied.
- (4) The current order may be extended, or extended and varied, only if the sheriff is satisfied that the nature of the child's circumstances is such that for the protection, guidance, treatment or control of the child it is necessary that the current order be extended or extended and varied.

#### **Textual Amendments**

- F1** S. 98(1)(b)(i) and word inserted (24.6.2013) by [The Children's Hearings \(Scotland\) Act 2011 \(Modification of Primary Legislation\) Order 2013 \(S.S.I. 2013/211\)](#), art. 1, [Sch. 1 para. 20\(10\)\(a\)](#)
- F2** S. 98(1)(b)(ii) and word inserted (24.6.2013) by [The Children's Hearings \(Scotland\) Act 2011 \(Modification of Primary Legislation\) Order 2013 \(S.S.I. 2013/211\)](#), art. 1, [Sch. 1 para. 20\(10\)\(b\)](#)

*Status: Point in time view as at 24/06/2013.*

*Changes to legislation: Children's Hearings (Scotland) Act 2011, Cross Heading: Application for extension or variation of interim compulsory supervision order is up to date with all changes known to be in force on or before 12 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

**Commencement Information**

**I1** S. 98 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

**99 Further extension or variation of interim compulsory supervision order**

- (1) This section applies where an interim compulsory supervision order is—
  - (a) extended, or extended and varied, under section 98(4), or
  - (b) further extended, or further extended and varied, under subsection (4).
- (2) The Principal Reporter may, before the expiry of the order, apply to the sheriff for a further extension of the order.
- (3) The Principal Reporter may, at the same time as applying for a further extension of the order, apply to the sheriff for the order to be varied.
- (4) The sheriff may further extend, or further extend and vary, the order if the sheriff is satisfied that the nature of the child's circumstances is such that for the protection, guidance, treatment or control of the child it is necessary that the order be further extended or, as the case may be, further extended and varied.

**Commencement Information**

**I2** S. 99 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

**Status:**

Point in time view as at 24/06/2013.

**Changes to legislation:**

Children's Hearings (Scotland) Act 2011, Cross Heading: Application for extension or variation of interim compulsory supervision order is up to date with all changes known to be in force on or before 12 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.