



# Children's Hearings (Scotland) Act 2011

## 2011 asp 1

### PART 18

#### MISCELLANEOUS

##### *Consent of child to medical examination or treatment*

#### **186 Consent of child to medical examination or treatment**

- (1) Nothing in this Act prejudices any capacity of a child enjoyed by virtue of section 2(4) of the Age of Legal Capacity (Scotland) Act 1991 (c.50) (capacity of child with sufficient understanding to consent to surgical, medical or dental procedure or treatment).
- (2) In particular, where—
  - (a) under an order mentioned in subsection (3) any examination or treatment is arranged for the child, and
  - (b) the child has the capacity mentioned in section 2(4) of the Age of Legal Capacity (Scotland) Act 1991,the examination or treatment may be carried out only if the child consents to it.
- (3) Those orders are—
  - (a) a child assessment order,
  - (b) a child protection order,
  - (c) a compulsory supervision order,
  - (d) an interim compulsory supervision order,
  - (e) a medical examination order.