



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 5

CHILD ASSESSMENT AND CHILD PROTECTION ORDERS

Termination of order

52 Automatic termination of order

- (1) This section applies where a child protection order contains an authorisation of the type mentioned in section 37(2)(b).
- (2) The order ceases to have effect at the end of the period of 24 hours beginning with the making of the order if the person specified in the order under section 37(2)(a) has not attempted to implement it within that period.
- (3) The order ceases to have effect at the end of the period of 6 days beginning with the making of the order if the child to whom the order relates has not been removed to a place of safety within that period.

53 Power of Principal Reporter to terminate order

- (1) If the Principal Reporter is satisfied that the conditions for the making of a child protection order in respect of a child are no longer satisfied, the Principal Reporter may terminate the order by giving notice to—
 - (a) the person specified in the order under section 37(2)(a), or
 - (b) where there is no such person specified, the applicant for the order.
- (2) If the Principal Reporter is satisfied that the conditions for including a relevant direction in a child protection order in respect of a child are no longer satisfied, the Principal Reporter may vary the child protection order so as to terminate the direction by giving notice to—
 - (a) the person specified in the order under section 37(2)(a), or
 - (b) where there is no such person specified, the applicant for the order.
- (3) A relevant direction is—
 - (a) an information non-disclosure direction,

Status: This is the original version (as it was originally enacted).

- (b) a contact direction,
 - (c) a parental responsibilities and rights direction.
- (4) The Principal Reporter may not terminate or vary the order if—
- (a) a children's hearing arranged under section 45 or 46 has commenced, or
 - (b) proceedings before the sheriff in relation to an application under section 48 have commenced.
- (5) Where the Principal Reporter terminates or varies a child protection order under subsection (1), the Principal Reporter must notify the sheriff who granted the order.

54 Termination of order after maximum of 8 working days

A child protection order in respect of a child ceases to have effect on the earliest of—

- (a) the beginning of a children's hearing arranged under section 69 in relation to the child,
- (b) the person specified in the order under section 37(2)(a) or, where there is no such person specified, the applicant for the order receiving notice under section 68(3) that the question of whether a compulsory supervision order should be made in respect of the child will not be referred to a children's hearing,
- (c) where the order contains an authorisation of the type mentioned in section 37(2)(b), the end of the period of 8 working days beginning on the day the child was removed to a place of safety, or
- (d) where the order does not contain such an authorisation, the end of the period of 8 working days beginning on the day the order was made.