

*Status: Point in time view as at 17/07/2024.*

**Changes to legislation:** Children and Young People (Scotland) Act 2014 is up to date with all changes known to be in force on or before 03 August 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)

<sup>F1</sup>SCHEDULE 1  
(introduced by section 3)

**Textual Amendments**

- F1** Sch. 1 repealed (17.7.2024) by [United Nations Convention on the Rights of the Child \(Incorporation\) \(Scotland\) Act 2024 \(asp 1\)](#), ss. **22(2)**, 47(2)(a)

SCHEDULE 2

(introduced by section 31)

RELEVANT AUTHORITIES

		PROSPECTIVE
1	NHS 24	
		PROSPECTIVE
2	NHS National Services Scotland	
		PROSPECTIVE
3	Scottish Ambulance Service Board	
		PROSPECTIVE
4	State Hospitals Board for Scotland	
		PROSPECTIVE
5	The National Waiting Times Centre Board	
		PROSPECTIVE
6	Skills Development Scotland Co. Ltd (registered number SC 202659)	
		PROSPECTIVE
7	Social Care and Social Work Improvement Scotland	

*Status: Point in time view as at 17/07/2024.*

**Changes to legislation:** Children and Young People (Scotland) Act 2014 is up to date with all changes known to be in force on or before 03 August 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)

PROSPECTIVE

8 The Scottish Sports Council

PROSPECTIVE

9 The chief constable of the Police Service of Scotland

PROSPECTIVE

10 The Scottish Police Authority

PROSPECTIVE

11 The Scottish Fire and Rescue Service

PROSPECTIVE

12 The Commissioner for Children and Young People in Scotland

PROSPECTIVE

13 A body which is a “post-16 education body” for the purposes of the Further and Higher Education (Scotland) Act 2005

[<sup>F2</sup>14. An integration joint board to which functions in relation to persons under 18 years of age are delegated in pursuance of an integration scheme prepared under section 1 or 2 of the Public Bodies (Joint Working) (Scotland) Act 2014.]

**Textual Amendments**

**F2** Sch. 2 para. 14 inserted (1.4.2015) by [The Public Bodies \(Joint Working\) \(Scotland\) Act 2014 \(Consequential Modifications and Saving\) Order 2015 \(S.S.I. 2015/157\)](#), art. 1(1), **Sch. para. 13(3)**

[<sup>F3</sup>15 The Principal Reporter.]

**Textual Amendments**

**F3** Sch. 2 para. 15 inserted (16.3.2016) by [The Children and Young People \(Scotland\) Act 2014 \(Modification of Schedules 2 and 3\) Order 2016 \(S.S.I. 2016/151\)](#), arts. 1, **2(2)**

*Status: Point in time view as at 17/07/2024.*

**Changes to legislation:** Children and Young People (Scotland) Act 2014 is up to date with all changes known to be in force on or before 03 August 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)

SCHEDULE 3  
(introduced by section 44)  
LISTED AUTHORITIES

		PROSPECTIVE
1	The Scottish Ministers	
		PROSPECTIVE
2	NHS 24	
		PROSPECTIVE
3	NHS National Services Scotland	
		PROSPECTIVE
4	Scottish Ambulance Service Board	
		PROSPECTIVE
5	State Hospitals Board for Scotland	
		PROSPECTIVE
6	The National Waiting Times Centre Board	
		PROSPECTIVE
7	Skills Development Scotland Co. Ltd (registered number SC 202659)	
		PROSPECTIVE
8	Social Care and Social Work Improvement Scotland	
		PROSPECTIVE
9	The Scottish Sports Council	

*Status: Point in time view as at 17/07/2024.*

**Changes to legislation:** Children and Young People (Scotland) Act 2014 is up to date with all changes known to be in force on or before 03 August 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)

PROSPECTIVE

10 The chief constable of the Police Service of Scotland

PROSPECTIVE

11 The Scottish Police Authority

PROSPECTIVE

12 The Scottish Fire and Rescue Service

PROSPECTIVE

13 The Commissioner for Children and Young People in Scotland

PROSPECTIVE

14 A body which is a “post-16 education body” for the purposes of the Further and Higher Education (Scotland) Act 2005

[<sup>F4</sup>15. An integration joint board to which functions in relation to persons under 18 years of age are delegated in pursuance of an integration scheme prepared under section 1 or 2 of the Public Bodies (Joint Working) (Scotland) Act 2014.]

**Textual Amendments**

**F4** Sch. 3 para. 15 inserted (1.4.2015) by [The Public Bodies \(Joint Working\) \(Scotland\) Act 2014 \(Consequential Modifications and Saving\) Order 2015 \(S.S.I. 2015/157\)](#), art. 1(1), **Sch. para. 13(4)**

[<sup>F5</sup>16 The Principal Reporter.]

**Textual Amendments**

**F5** Sch. 3 para. 16 inserted (16.3.2016) by [The Children and Young People \(Scotland\) Act 2014 \(Modification of Schedules 2 and 3\) Order 2016 \(S.S.I. 2016/151\)](#), arts. 1, **2(3)**

[<sup>F6</sup>17 ILF Scotland]

**Textual Amendments**

**F6** Sch. 3 para. 17 inserted (28.6.2018) by [The ILF Scotland \(Miscellaneous Listings\) Order 2018 \(S.S.I. 2018/214\)](#), arts. 1, **6(3)**

*Status: Point in time view as at 17/07/2024.*

*Changes to legislation: Children and Young People (Scotland) Act 2014 is up to date with all changes known to be in force on or before 03 August 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)*

## SCHEDULE 4

(introduced by section 56)

### CORPORATE PARENTS

#### 1 The Scottish Ministers

##### Commencement Information

**I1** Sch. 4 para. 1 in force at 1.4.2015 by [S.S.I. 2015/61](#), [art. 2\(1\)\(2\)](#), [Sch.](#)

#### 2 A local authority

##### Commencement Information

**I2** Sch. 4 para. 2 in force at 1.4.2015 by [S.S.I. 2015/61](#), [art. 2\(1\)\(2\)](#), [Sch.](#)

#### 3 The National Convener of Children's Hearings Scotland

##### Commencement Information

**I3** Sch. 4 para. 3 in force at 1.4.2015 by [S.S.I. 2015/61](#), [art. 2\(1\)\(2\)](#), [Sch.](#)

#### 4 Children's Hearings Scotland

##### Commencement Information

**I4** Sch. 4 para. 4 in force at 1.4.2015 by [S.S.I. 2015/61](#), [art. 2\(1\)\(2\)](#), [Sch.](#)

#### 5 The Principal Reporter

##### Commencement Information

**I5** Sch. 4 para. 5 in force at 1.4.2015 by [S.S.I. 2015/61](#), [art. 2\(1\)\(2\)](#), [Sch.](#)

#### 6 The Scottish Children's Reporter Administration

##### Commencement Information

**I6** Sch. 4 para. 6 in force at 1.4.2015 by [S.S.I. 2015/61](#), [art. 2\(1\)\(2\)](#), [Sch.](#)

#### 7 A health board

##### Commencement Information

**I7** Sch. 4 para. 7 in force at 1.4.2015 by [S.S.I. 2015/61](#), [art. 2\(1\)\(2\)](#), [Sch.](#)

#### 8 A board constituted under section 2(1)(b) of the National Health Service (Scotland) Act 1978

*Status: Point in time view as at 17/07/2024.*

*Changes to legislation: Children and Young People (Scotland) Act 2014 is up to date with all changes known to be in force on or before 03 August 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**

**I8** Sch. 4 para. 8 in force at 1.4.2015 by [S.S.I. 2015/61](#), [art. 2\(1\)\(2\)](#), [Sch.](#)

9 Healthcare Improvement Scotland

**Commencement Information**

**I9** Sch. 4 para. 9 in force at 1.4.2015 by [S.S.I. 2015/61](#), [art. 2\(1\)\(2\)](#), [Sch.](#)

10 The Scottish Qualifications Authority

**Commencement Information**

**I10** Sch. 4 para. 10 in force at 1.4.2015 by [S.S.I. 2015/61](#), [art. 2\(1\)\(2\)](#), [Sch.](#)

11 Skills Development Scotland Co. Ltd (registered number SC 202659)

**Commencement Information**

**I11** Sch. 4 para. 11 in force at 1.4.2015 by [S.S.I. 2015/61](#), [art. 2\(1\)\(2\)](#), [Sch.](#)

12 Social Care and Social Work Improvement Scotland

**Commencement Information**

**I12** Sch. 4 para. 12 in force at 1.4.2015 by [S.S.I. 2015/61](#), [art. 2\(1\)\(2\)](#), [Sch.](#)

13 The Scottish Social Services Council

**Commencement Information**

**I13** Sch. 4 para. 13 in force at 1.4.2015 by [S.S.I. 2015/61](#), [art. 2\(1\)\(2\)](#), [Sch.](#)

14 The Scottish Sports Council

**Commencement Information**

**I14** Sch. 4 para. 14 in force at 1.4.2015 by [S.S.I. 2015/61](#), [art. 2\(1\)\(2\)](#), [Sch.](#)

15 The chief constable of the Police Service of Scotland

**Commencement Information**

**I15** Sch. 4 para. 15 in force at 1.4.2015 by [S.S.I. 2015/61](#), [art. 2\(1\)\(2\)](#), [Sch.](#)

16 The Scottish Police Authority

*Status: Point in time view as at 17/07/2024.*

*Changes to legislation: Children and Young People (Scotland) Act 2014 is up to date with all changes known to be in force on or before 03 August 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**

**I16** Sch. 4 para. 16 in force at 1.4.2015 by [S.S.I. 2015/61](#), art. 2(1)(2), [Sch.](#)

17 The Scottish Fire and Rescue Service

**Commencement Information**

**I17** Sch. 4 para. 17 in force at 1.4.2015 by [S.S.I. 2015/61](#), art. 2(1)(2), [Sch.](#)

18 The Scottish Legal Aid Board

**Commencement Information**

**I18** Sch. 4 para. 18 in force at 1.4.2015 by [S.S.I. 2015/61](#), art. 2(1)(2), [Sch.](#)

19 The Commissioner for Children and Young People in Scotland

**Commencement Information**

**I19** Sch. 4 para. 19 in force at 1.4.2015 by [S.S.I. 2015/61](#), art. 2(1)(2), [Sch.](#)

20 The Mental Welfare Commission for Scotland

**Commencement Information**

**I20** Sch. 4 para. 20 in force at 1.4.2015 by [S.S.I. 2015/61](#), art. 2(1)(2), [Sch.](#)

21 The Scottish Housing Regulator

**Commencement Information**

**I21** Sch. 4 para. 21 in force at 1.4.2015 by [S.S.I. 2015/61](#), art. 2(1)(2), [Sch.](#)

22 Bòrd na Gàidhlig

**Commencement Information**

**I22** Sch. 4 para. 22 in force at 1.4.2015 by [S.S.I. 2015/61](#), art. 2(1)(2), [Sch.](#)

23 Creative Scotland

**Commencement Information**

**I23** Sch. 4 para. 23 in force at 1.4.2015 by [S.S.I. 2015/61](#), art. 2(1)(2), [Sch.](#)

24 A body which is a “post-16 education body” for the purposes of the Further and Higher Education (Scotland) Act 2005

*Status: Point in time view as at 17/07/2024.*

**Changes to legislation:** Children and Young People (Scotland) Act 2014 is up to date with all changes known to be in force on or before 03 August 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

**I24** Sch. 4 para. 24 in force at 1.4.2015 by [S.S.I. 2015/61](#), [art. 2\(1\)\(2\)](#), [Sch.](#)

[<sup>F7</sup>25. An integration joint board to which functions in relation to persons under 18 years of age have been delegated in pursuance of an integration scheme prepared under section 1 or 2 of the Public Bodies (Joint Working) (Scotland) Act 2014.]

#### Textual Amendments

**F7** Sch. 4 para. 25 inserted (1.4.2015) by [The Public Bodies \(Joint Working\) \(Scotland\) Act 2014 \(Consequential Modifications and Saving\) Order 2015 \(S.S.I. 2015/157\)](#), [art. 1\(1\)](#), [Sch. para. 13\(5\)](#)

[<sup>F8</sup>26 ILF Scotland]

#### Textual Amendments

**F8** Sch. 4 para. 26 inserted (28.6.2018) by [The ILF Scotland \(Miscellaneous Listings\) Order 2018 \(S.S.I. 2018/214\)](#), [arts. 1](#), [6\(4\)](#)

## SCHEDULE 5

*(introduced by section 98)*

### MODIFICATION OF ENACTMENTS

#### *Social Work (Scotland) Act 1968*

- 1 In section 5 of the Social Work (Scotland) Act 1968—
- (a) in subsection (1)—
    - (i) for “1995 and” substitute “ 1995, ”,
    - (ii) after “2013 (asp 1)” insert “ Part 6 (in so far as it applies to looked after children) and Parts 12 and 13 of the Children and Young People (Scotland) Act 2014 (asp 8) ”,
  - (b) in subsection (1B), after paragraph (s) insert—
    - “(t) Part 6 (in so far as it applies to looked after children) of the Children and Young People (Scotland) Act 2014 (asp 8).”,
  - (c) after subsection (1B) insert—
    - “(1C) In subsections (1) and (1B) of this section, the references to looked after children are to be construed in accordance with section 17(6) of the Children (Scotland) Act 1995.”.

#### Commencement Information

**I25** Sch. 5 para. 1 in force at 1.8.2014 by [S.S.I. 2014/131](#), [art. 2\(2\)\(3\)](#), [Sch.](#) (with [art. 4](#))



*Status: Point in time view as at 17/07/2024.*

*Changes to legislation: Children and Young People (Scotland) Act 2014 is up to date with all changes known to be in force on or before 03 August 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)*

### *Education (Scotland) Act 1980*

- 2 (1) The 1980 Act is amended as follows.
- (2) In section 1—
- (a) in subsection (1A), for the words from first “as” to “order” substitute “ to the extent required by section 47(1) of the Children and Young People (Scotland) Act 2014 ”,
  - (b) omit subsections (1B) and (4A),
  - (c) in subsection (5)(a), for sub-paragraph (i) substitute—  
“(i) early learning and childcare;”.
- (3) In section 53A(2), for “53(3)” substitute “ 53 ”.
- (4) In section 53B—
- (a) in subsection (1)—
    - (i) after “applies” insert “ , subject to subsection (1A), ”,
    - (ii) for “53(3)” substitute “ 53 ”,
  - (b) after subsection (1), insert—  
“(1A) This section does not apply in such circumstances as the Scottish Ministers may by regulations prescribe.”,
  - (c) in subsection (5)(b), for “53(3)” substitute “ 53 ”.
- (5) In section 133—
- (a) in subsection (2), for “(2ZA)” substitute “ (2YA) ”,
  - (b) after subsection (2), insert—  
“(2YA) Subsection (2) above shall not apply to any regulations under section 53(3)(c) of this Act; and such regulations shall be subject to the affirmative procedure.”.
- (6) In section 135—
- (a) after the definition of “dental treatment” insert—  
““early learning and childcare” has the same meaning as in Part 6 of the Children and Young People (Scotland) Act 2014;”,
  - (b) for the definitions of “nursery school” and “nursery class” substitute—  
““nursery schools” and “nursery classes” are schools and classes which provide early learning and childcare;”.

#### **Commencement Information**

- I26** Sch. 5 para. 2(1)(6) in force at 28.6.2014 by [S.S.I. 2014/131](#), **art. 2(1)**
- I27** Sch. 5 para. 2(2) in force at 1.8.2014 by [S.S.I. 2014/131](#), **art. 2(2)(3)**, **Sch.**
- I28** Sch. 5 para. 2(3) in force at 5.1.2015 by [S.S.I. 2014/314](#), **art. 2**, **Sch.**
- I29** Sch. 5 para. 2(4)(a)(c)(5)(a) in force at 5.1.2015 by [S.S.I. 2014/314](#), **art. 2**, **Sch.**
- I30** Sch. 5 para. 2(4)(b)(5)(b) in force at 1.8.2014 for specified purposes by [S.S.I. 2014/131](#), **art. 2(2)(3)**, **Sch.**
- I31** Sch. 5 para. 2(4)(b)(5)(b) in force at 5.1.2015 in so far as not already in force by [S.S.I. 2014/314](#), **art. 2**, **Sch.**

*Status: Point in time view as at 17/07/2024.*

**Changes to legislation:** *Children and Young People (Scotland) Act 2014 is up to date with all changes known to be in force on or before 03 August 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)*

### *Legal Aid (Scotland) Act 1986*

- 3 (1) The Legal Aid (Scotland) Act 1986 is amended as follows.
- (2) In section 28F(1)(b), after “deemed” insert “, or is no longer to be deemed,”.
- (3) In section 37(2), after “28L(1) or (8),” insert “ 28LA(1), ”.

#### **Commencement Information**

**I32** Sch. 5 para. 3(1)(2) in force at 26.1.2015 by [S.S.I. 2014/353](#), [art. 2\(2\)\(3\)](#), [Sch.](#)

**I33** Sch. 5 para. 3(3) in force at 28.11.2016 by [S.S.I. 2016/254](#), [art. 3\(2\)\(b\)](#)

### *Children (Scotland) Act 1995*

- 4 (1) The 1995 Act is amended as follows.
- (2) Section 19 is repealed.
- (3) In section 20, for subsection (2) substitute—
- “(2) In subsection (1) above, “relevant services” means services provided by a local authority under or by virtue of—
- (a) this Part of this Act;
- (b) the Children's Hearings (Scotland) Act 2011;
- (c) Part 12 or 13 of the Children and Young People (Scotland) Act 2014;
- or
- (d) any of the enactments mentioned in section 5(1B)(a) to (n), (r) or (t) of the Social Work (Scotland) Act 1968.”.
- (4) In section 44—
- (a) for subsection (1) substitute—
- “(1) No person shall publish any matter in respect of proceedings before a sheriff on an application under section 76(1) of this Act which is intended to, or is likely to, identify—
- (a) the child concerned in, or any other child connected (in any way) with, the proceedings; or
- (b) any address or school as being that of any such child.”,
- (b) in subsection (5)—
- (i) omit paragraphs (b) and (c),
- (ii) in the full-out, omit “, the Court or the Secretary of State as the case may be”.

#### **Commencement Information**

**I34** Sch. 5 para. 4(1)(4) in force at 30.9.2015 by [S.S.I. 2015/317](#), [art. 2](#), [Sch.](#)

**I35** Sch. 5 para. 4(2)(3) in force at 1.4.2017 by [S.S.I. 2016/254](#), [art. 3\(3\)\(c\)](#)

### *Criminal Procedure (Scotland) Act 1995*

- 5 (1) The Criminal Procedure (Scotland) Act 1995 is amended as follows.

*Status: Point in time view as at 17/07/2024.*

**Changes to legislation:** Children and Young People (Scotland) Act 2014 is up to date with all changes known to be in force on or before 03 August 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)

(2) In section 44(11), in the definition of “secure accommodation” for “2000 Act” in each place where it occurs substitute “Care Standards Act 2000”.

(3) In section 57A(16), in the definition of “relevant services” for “19(2)” substitute “20(2)”.

**Commencement Information**

**I36** Sch. 5 para. 5(1)(2) in force at 30.9.2015 by [S.S.I. 2015/317](#), [art. 2](#), [Sch.](#)

**I37** Sch. 5 para. 5(3) in force at 1.4.2017 by [S.S.I. 2016/254](#), [art. 3\(3\)\(c\)](#)

*Education Act 1996*

6 Paragraph 11 of Schedule 37 to the Education Act 1996 is repealed.

**Commencement Information**

**I38** Sch. 5 para. 6 in force at 1.8.2014 by [S.S.I. 2014/131](#), [art. 2\(2\)\(3\)](#), [Sch.](#)

*Standards in Scotland's Schools Act 2000*

7 In section 34 of the Standards in Scotland's Schools Act 2000—  
(a) in paragraph (a), after “Act” insert “ and Part 6 of the Children and Young People (Scotland) Act 2014 ”,  
(b) in paragraph (b), for “that Act” substitute “ those Acts ”.

**Commencement Information**

**I39** Sch. 5 para. 7 in force at 28.6.2014 by [S.S.I. 2014/131](#), [art. 2\(1\)](#)

*Regulation of Care (Scotland) Act 2001*

8 In section 73(2)(a) of the Regulation of Care (Scotland) Act 2001—  
(a) after first “provided” insert “ under subsection (1) or (5A)(a) of that section ”,  
(b) for “the subsection in question” substitute “ subsection (5A)(b) or (5B) of that section ”.

**Commencement Information**

**I40** Sch. 5 para. 8 in force at 1.4.2015 by [S.S.I. 2015/61](#), [art. 2\(1\)\(2\)](#), [Sch.](#)

*Mental Health (Care and Treatment) (Scotland) Act 2003*

9 In section 329(1) of the Mental Health (Care and Treatment) (Scotland) Act 2003, in the definition of “relevant services” for “19(2)” substitute “ 20(2) ”.

*Status: Point in time view as at 17/07/2024.*

**Changes to legislation:** Children and Young People (Scotland) Act 2014 is up to date with all changes known to be in force on or before 03 August 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

**I41** Sch. 5 para. 9 in force at 1.4.2017 by [S.S.I. 2016/254](#), [art. 3\(3\)\(c\)](#)

#### *Education (Additional Support for Learning) (Scotland) Act 2004*

- 10 (1) The Education (Additional Support for Learning) (Scotland) Act 2004 is amended as follows.
- (2) In section 1(3)—
- (a) in paragraph (a), for “a prescribed” substitute “an eligible”,
  - (b) in paragraph (b), for “a prescribed” substitute “an eligible”.
- (3) In section 5(3)(a), in paragraph (a), for “a prescribed” substitute “an eligible”.
- (4) In section 29(1)—
- (a) after the definition of “co-ordinated support plan” insert—
 

““eligible pre-school child” has the same meaning as in Part 6 of the Children and Young People (Scotland) Act 2014,”
  - (b) omit the definition of “prescribed pre-school child”.

#### Commencement Information

**I42** Sch. 5 para. 10 in force at 1.8.2014 by [S.S.I. 2014/131](#), [art. 2\(2\)\(3\)](#), [Sch.](#)

#### *Adoption and Children (Scotland) Act 2007*

- 11 (1) The Adoption and Children (Scotland) Act 2007 is amended as follows.
- (2) Section 4 is repealed.
- (3) In section 6(1), omit “or 4”.
- (4) The title of section 6 becomes “ **Assistance in carrying out functions under section 1** ”.
- (5) In section 117(5)(a), after sub-paragraph (i) insert—
- “(ia) section 13A(2),
  - (ib) section 13F(1),”.
- (6) In section 119(1), in paragraph (b) of the definition of “adoption agency”, after “sections” insert “ 13A, 13D, 13F, ”.

#### Commencement Information

**I43** Sch. 5 para. 11(1)(5)(6) in force at 30.9.2015 for specified purposes by [S.S.I. 2015/317](#), [art. 2](#), [Sch.](#)

**I44** Sch. 5 para. 11(1)(5)(6) in force at 1.4.2016 in so far as not already in force by [S.S.I. 2015/406](#), [art. 3\(2\)\(3\)](#), [Sch. Pt. 2](#)

**I45** Sch. 5 para. 11(2)(3)(4) in force at 1.4.2017 by [S.S.I. 2016/254](#), [art. 3\(3\)\(c\)](#)

*Status: Point in time view as at 17/07/2024.*

*Changes to legislation: Children and Young People (Scotland) Act 2014 is up to date with all changes known to be in force on or before 03 August 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)*

*Children's Hearings (Scotland) Act 2011*

- 12 (1) The Children's Hearings (Scotland) Act 2011 is amended as follows.
- (2) In section 80(1), after “(2)” insert “ or (5A) ”.
- (3) In section 81—
- (a) in subsection (2), after “must” insert “ , unless that other matter is a matter mentioned in section 79(5A)(a), ”,
- (b) in subsection (5)(b), after sub-paragraph (iv) insert—  
“(iva) section 81A,”.
- (4) In section 94(3), for the second “of” substitute “ given in compliance with section 90(1) in relation to ”.
- (5) In section 105, after subsection (1) insert—
- “(1A) The reference in subsection (1)(b) to the ground being accepted is, in relation to a ground which was not accepted by virtue of section 90(1B), a reference to all of the supporting facts in relation to the ground being accepted.”.
- (6) In section 106, after subsection (1) insert—
- “(1A) The reference in subsection (1)(b) to the ground being accepted is, in relation to a ground which was not accepted by virtue of section 90(1B), a reference to all of the supporting facts in relation to the ground being accepted.”.
- (7) In section 142, after subsection (1) insert—
- “(1A) But this section does not apply where the matter of whether the individual should continue to be deemed to be a relevant person in relation to the child—
- (a) has been determined by a meeting of a pre-hearing panel held in relation to the children's hearing, or
- (b) is, by virtue of section 80(3), to be determined by the children's hearing.”.
- (8) In section 160, for subsection (1)(a) substitute—
- “(a) a determination of a pre-hearing panel or a children's hearing that an individual—
- (i) is or is not to be deemed a relevant person in relation to a child,
- (ii) is to continue to be deemed, or is no longer to be deemed, a relevant person in relation to a child,”.
- (9) In section 202(1), after the definition of “super-affirmative procedure” insert—
- ““supporting facts” has the meaning given by section 90(1D),”.
- (10) In schedule 6, in the entry for the 1995 Act—
- (a) at the end of the reference to sections 39 to 74 insert “ , except section 44 ”,
- (b) in the reference to section 105, omit “44,”.

**Commencement Information**

**I46** Sch. 5 para. 12(1)-(9) in force at 26.1.2015 by [S.S.I. 2014/353](#), art. 2(2)(3), [Sch.](#)

---

*Status: Point in time view as at 17/07/2024.*

**Changes to legislation:** Children and Young People (Scotland) Act 2014 is up to date with all changes known to be in force on or before 03 August 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)

---

**I47** Sch. 5 para. 12(10) in force at 30.9.2015 by [S.S.I. 2015/317](#), art. 2, **Sch.**

**Status:**

Point in time view as at 17/07/2024.

**Changes to legislation:**

Children and Young People (Scotland) Act 2014 is up to date with all changes known to be in force on or before 03 August 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.