



Children and Young People (Scotland) Act 2014

2014 asp 8

PART 1

RIGHTS OF CHILDREN

4 Interpretation of Part 1

(1) In this Part—

“the rights of children” includes the rights and obligations set out in—

- (a) the UNCRC,
- (b) the first optional protocol to the UNCRC, and
- (c) the second optional protocol to the UNCRC,

“the UNCRC” means the United Nations Convention on the Rights of the Child adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989,

“the first optional protocol” means the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict,

“the second optional protocol” means the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,

“the UNCRC requirements” means the rights and obligations set out in—

- (a) Part 1 of the UNCRC,
- (b) Articles 1 to 6(1), 6(3) and 7 of the first optional protocol, and
- (c) Articles 1 to 10 of the second optional protocol.

(2) A reference in subsection (1) to a UNCRC document is to be read as a reference to that document subject to—

- (a) any amendments in force in relation to the United Kingdom at the time, and
- (b) any reservations, objections or interpretative declarations by the United Kingdom in force at the time.

(3) In subsection (2), “UNCRC document”—

- (a) means the UNCRC or any optional protocol to the UNCRC, and

Changes to legislation: There are currently no known outstanding effects for the Children and Young People (Scotland) Act 2014, Section 4. (See end of Document for details)

- (b) includes provision of a UNCRC document.
- (4) Where subsection (5) applies, the Scottish Ministers may by order modify subsection (1) as they consider appropriate to take account of—
 - (a) an optional protocol to the UNCRC, or
 - (b) an amendment of a document referred to in subsection (1) at the time.
- (5) This subsection applies where the protocol or amendment is one which—
 - (a) the United Kingdom has ratified, or
 - (b) the United Kingdom has signed with a view to ratification.
- (6) No modification may be made by an order under subsection (4) so as to come into force before the protocol or amendment is in force in relation to the United Kingdom.

Commencement Information

II S. 4 in force at 15.6.2015 by S.S.I. 2015/61, art. 2(3)

Changes to legislation:

There are currently no known outstanding effects for the Children and Young People (Scotland) Act 2014, Section 4.