

SCHEDULE 3 CHILDREN AND VULNERABLE ADULTS

PART 1

CHILDREN

Child assessment and child protection orders

- 2 (1) The Children’s Hearings (Scotland) Act 2011 (“the 2011 Act”) applies in accordance with the modifications in sub-paragraphs (2) to (6).
- (2) Section 35(5) (period for which child assessment order has effect) has effect as if—
- (a) in paragraph (a), for “24 hours” there were substituted “48 hours”,
 - (b) in paragraph (b), for “3 days” there were substituted “5 days”.
- (3) The 2011 Act has effect as if sections 45 to 47 (review of child protection order at two working days) were repealed.
- (4) Section 48(3) (period within which application for variation or termination of child protection order may be made) has effect as if for paragraphs (a) and (b) there were substituted “within the period beginning on the day on which the order is made and ending on the seventh working day after—
- (a) where the child has been removed to a place of safety by virtue of an authorisation of the type mentioned in section 37(2)(b), the day on which the child was so removed,
 - (b) in any other case, the day on which the order was made.”.
- (5) Section 51 (determination of application under section 48) has effect as if—
- (a) in subsection (3) after “determined” there were inserted “as soon as reasonably practicable and in any event”,
 - (b) subsection (4) were repealed.
- (6) Section 53(4) (power of Principal Reporter to terminate or vary child protection order) has effect as if paragraph (a), and the word “or” immediately following that paragraph, were repealed.
- (7) The modifications in sub-paragraphs (3) to (6) do not apply in relation to a child protection order (within the meaning of section 202 of the 2011 Act) made before the day on which those sub-paragraphs come into force.