

*Status: This version of this provision is prospective.*

*Changes to legislation: United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, Section 17 is up to date with all changes known to be in force on or before 01 March 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) View outstanding changes*



# United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024

2024 asp 1

## PART 3

### CHILDREN'S RIGHTS SCHEME, CHILD RIGHTS AND WELLBEING IMPACT ASSESSMENTS AND REPORTING DUTIES

#### *Child rights and wellbeing impact assessments*

PROSPECTIVE

#### 17 Child rights and wellbeing impact assessments

- (1) A child rights and wellbeing impact assessment is an assessment of the likely effects (if any) of a legislative provision on, or decision of a strategic nature relating to, the rights and wellbeing of children.
- (2) The Scottish Ministers must prepare and publish a child rights and wellbeing impact assessment in relation to the following legislative provisions—
  - (a) a Bill for an Act of the Scottish Parliament that the Scottish Ministers intend to introduce in the Scottish Parliament,
  - (b) a Scottish statutory instrument made by the Scottish Ministers other than one which brings a provision of an Act of the Scottish Parliament or an Act of Parliament into force.
- (3) The Scottish Ministers must prepare and publish a child rights and wellbeing impact assessment in relation to decisions of a strategic nature relating to the rights and wellbeing of children as required by, and in accordance with, the arrangements set out in the Scheme.
- (4) Without prejudice to the generality of [subsection \(3\)](#), the Scottish Ministers must prepare and publish a child rights and wellbeing impact assessment in relation to—

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- (a) any decision by the Scottish Ministers to restrict, for a reason relating to coronavirus, the delivery in person of education provision to children at schools,
  - (b) any strategy, policy or criteria of the Scottish Ministers that is to be applied by an education authority in making a decision temporarily to remove or restrict the delivery in person of education provision to children at schools under the education authority’s management, regardless of the reason for the decision.
- (5) For the purposes of [subsection \(4\)](#)—
- “coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2),
  - a reference to the “delivery in person” of education is a reference to a child’s attendance in person at the child’s usual school,
  - “school” has the meaning given by section 135(1) of the Education (Scotland) Act 1980.

#### Commencement Information

- II** S. 17 comes into force in accordance with s. 47(2)

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**Changes and effects yet to be applied to :**

- s. 17 coming into force by [2024 asp 1 s. 47\(2\)](#)