

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 15 is up to date with all changes known to be in force on or before 05 May 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

Children's Rights Scheme

PROSPECTIVE

15 Procedure for making, amending and remaking the Scheme

- (1) In [this section](#), a reference to the proposal is a reference to (as the case may be) a proposal to—
 - (a) make the first scheme under [section 14\(1\)](#),
 - (b) amend the Scheme, or
 - (c) make a new scheme to replace the Scheme.
- (2) In preparing the proposal, the Scottish Ministers—
 - (a) must have regard to—
 - (i) any report of the United Nations Committee on the Rights of the Child under paragraph 5 of article 44 of the Convention that the Scottish Ministers consider to be relevant, and
 - (ii) any other reports, suggestions, general recommendations or other documents issued by the United Nations Committee on the Rights of the Child relating to the implementation of the Convention, the first optional protocol or the second optional protocol by the United Kingdom that the Scottish Ministers consider to be relevant,

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- (b) may have regard to any international law or comparative law that they consider to be relevant, and
 - (c) may have regard to any other document or matter that they consider to be relevant.
- (3) The Scottish Ministers must publish the proposal and consult—
- (a) children,
 - (b) the Commissioner for Children and Young People in Scotland,
 - (c) the Scottish Commission for Human Rights, and
 - (d) such other persons as the Scottish Ministers consider appropriate.
- (4) The Scottish Ministers may make such changes to the proposal as they consider appropriate following the consultation under [subsection \(3\)](#).
- (5) The Scottish Ministers may not—
- (a) make the Scheme,
 - (b) make an amendment to the Scheme, or
 - (c) make a new scheme to replace the Scheme,
- until the proposal has been laid before the Scottish Parliament.
- (6) A proposal may not be laid before the Scottish Parliament under [subsection \(5\)](#) unless a period of at least 28 days, beginning with the day on which the proposal was published under [subsection \(3\)](#), has elapsed.
- (7) The Scottish Ministers must publish the Scheme, the Scheme as amended or (as the case may be) the Scheme as remade in such manner as they consider appropriate.
- (8) It is immaterial that anything done by way of preparation of, or consultation in relation to, the first scheme under [this section](#) was done—
- (a) before the Bill for this Act was passed, or
 - (b) after that but before [this section](#) comes into force.

Commencement Information

- II** S. 15 comes into force in accordance with s. 47(2)

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Changes and effects yet to be applied to :

- s. 15 coming into force by [2024 asp 1 s. 47\(2\)](#)