

SCHEDULES

SCHEDULE 5

MINOR AND CONSEQUENTIAL AMENDMENTS OF ENACTMENTS

The Social Work (Scotland) Act 1968

- 59 (1) In section 73 of the said Act of 1968, in subsection (1), after the word " reporter ", in the second place where it occurs, there shall be inserted the following words:—
- “(i) in the case of a supervision order made by virtue of section 7A(4) of the Criminal Justice (Scotland) Act 1949, to notify the appropriate court and to transmit to that court all documents and certified copies of documents relating to the case which the reporter has received by virtue of section 76 of this Act;
- (ii) in any other case.”
- and at the end of that subsection there shall be inserted the following paragraph:—
- “In this subsection " the appropriate court" means the sheriff having jurisdiction in the area in which the child proposes to reside or is residing or, where the original probation order was imposed by the High Court of Justiciary, that Court.”
- (2) After subsection (1) of that section there shall be inserted the following subsection:—
- “(1A) Where a court in England or Wales is satisfied that a child in respect of whom the court proposes to make a supervision order is residing or proposes to reside in Scotland, the court may make the order notwithstanding anything in subsection (1) of section 18 of the Children and Young Persons Act 1969 (which relates to residence of the supervised person in England or Wales); and where the court makes a supervision order by virtue of this subsection—
- (a) the areas to be named in the order in pursuance of subsection (2)(a) of the said section 18 shall be those in which the court is sitting ;
- (b) the order may require the supervised person to comply with directions of the supervisor with respect to his departure to Scotland, and any such requirement shall, for the purposes of sections 15 and 16 of that Act (which relate to the variation and discharge of supervision orders), be deemed to be included in the order in pursuance of section 12(2) of that Act; and
- (c) the court shall send notification of the order as mentioned in paragraph (b) of the foregoing subsection and the provisions of that subsection relating to the duty of the reporter shall apply accordingly.”
- (3) In subsection (2) of that section for the word " subsection " there shall be substituted the words " provisions of this section. "