



# Children (Scotland) Act 1995

## 1995 CHAPTER 36

### PART II

#### PROMOTION OF CHILDREN'S WELFARE BY LOCAL AUTHORITIES AND BY CHILDREN'S HEARINGS ETC.

### CHAPTER 2

#### CHILDREN'S HEARINGS

##### *Transfer etc. of cases*

#### **48 Transfer of case to another children's hearing.**

- (1) Where a children's hearing are satisfied, in relation to a case which they are hearing, that it could be better considered by a children's hearing constituted from a children's panel for a different local government area, they may at any time during the course of the hearing request the Principal Reporter to arrange for such other children's hearing to dispose of the case.
- (2) Where a case has been transferred in pursuance of subsection (1) above, the grounds of referral accepted or established for the case shall not require to be further accepted or established for the purposes of the children's hearing to which the case has been transferred.

<sup>F1</sup>49 .....

#### **Textual Amendments**

**F1** S. 49 repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5** (with **Sch. 3** paras. 1, 3, 16, 17)

*Status: Point in time view as at 01/08/1997.*

*Changes to legislation: Children (Scotland) Act 1995, Cross Heading: Transfer etc. of cases is up to date with all changes known to be in force on or before 28 June 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)*

## 50 Treatment of child’s case on remission by court.

- (1) Where a court has, under [<sup>F2</sup>section 49 of the Criminal Procedure (Scotland) Act 1995], remitted a case to a children’s hearing for disposal, a certificate signed by the clerk of the court stating that the child or person concerned has pled guilty to, or has been found guilty of, the offence to which the remit relates shall be conclusive evidence for the purposes of the remit that the offence has been committed by the child or person.
- (2) Where a court has under [<sup>F3</sup>subsection (7) of the said section 49] remitted a case to a children’s hearing for disposal, the provisions of this Act shall apply to the person concerned as if he were a child.

### Textual Amendments

- F2** Words in s. 50(1) substituted (1.4.1996) by 1995 c. 40, ss. 5, 7(2), **Sch. 4 para. 97(3)(a)**
- F3** Words in s. 50(2) substituted (1.4.1996) by 1995 c. 40, ss. 5, 7(2), **Sch. 4 para. 97(3)(b)**

**Status:**

Point in time view as at 01/08/1997.

**Changes to legislation:**

Children (Scotland) Act 1995, Cross Heading: Transfer etc. of cases is up to date with all changes known to be in force on or before 28 June 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.