
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 200

The Children's Legal Assistance (Scotland) Regulations 2013

PART 3

CHILDREN'S LEGAL AID

Distinct proceedings

6.—(1) In this regulation any reference to a numbered section is to a section bearing that number in the 2011 Act.

(2) For the purposes of children's legal aid the following are treated as distinct proceedings—

- (a) an application to the sheriff to vary or terminate a child protection order under section 48;
- (b) subject to paragraph (3), an application to the sheriff to extend or vary an interim compulsory supervision order under section 98;
- (c) subject to paragraph (3), an application to the sheriff to further extend or vary an interim compulsory supervision order under section 99;
- (d) an application to the sheriff to establish grounds under section 101;
- (e) an application to the sheriff for review of a grounds determination under section 110;
- (f) an appeal to the sheriff against a decision of the children's hearing under section 154;
- (g) an appeal to the sheriff against a relevant person determination under section 160;
- (h) an appeal to the sheriff against a decision relating to a contact or permanence order under section 161;
- (i) an appeal to the sheriff against a decision to implement a secure accommodation authorisation under section 162;
- (j) an appeal to the sheriff principal or the Court of Session against a determination or decision of a sheriff under section 163;
- (k) an appeal to the sheriff principal or the Court of Session against a decision of a sheriff in an appeal against a relevant person determination under section 164;
- (l) an appeal to the sheriff principal or the Court of Session against a decision of a sheriff in an appeal relating to a contact or permanence order under section 165;
- (m) an appeal to the Court of Session against a determination or decision of the sheriff principal under section 163;
- (n) an appeal to the Court of Session against a decision of the sheriff principal in an appeal against a relevant person determination under section 164;
- (o) an appeal to the Court of Session against a decision of the sheriff principal in an appeal relating to a contact or permanence order under section 165;
- (p) an application to the sheriff for review of a decision or determination imposing a duty on a local authority under section 166; and

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- (q) an appeal to the sheriff principal against a determination of a review, or the making of an order, by a sheriff under section 167.
- (3) An application under paragraph (2)(b) or (c) is not to be treated as distinct proceedings where—
 - (a) the application arises as part of other proceedings under the 2011 Act; and
 - (b) the person, who would otherwise be required by virtue of paragraph (2) to apply for children’s legal aid, has already been granted children’s legal aid.