

SCOTTISH STATUTORY INSTRUMENTS

**2010 No. 213**

**The Parental Responsibility and Measures  
for the Protection of Children (International  
Obligations) (Scotland) Regulations 2010**

**Local authorities and Children’s Hearings: placement of child in another Contracting State**

12.—(1) This regulation applies if a local authority or Children’s Hearing [<sup>F1</sup>or sheriff] in Scotland is contemplating—

(a) placing a child in another Contracting State, within the meaning given by Article 33 of the Convention<sup>F2</sup>...

<sup>F3</sup>(b) .....

(2) This regulation applies if a Children’s Hearing [<sup>F4</sup>or sheriff] is contemplating—

(a) [<sup>F5</sup>making, continuing or varying a compulsory supervision order or interim compulsory supervision order (as defined respectively in sections 83 and 86 of the Children’s Hearings (Scotland) Act 2011)] requiring a child to reside in another Contracting State, within the meaning given by Article 33 of the Convention<sup>F6</sup>...

<sup>F7</sup>(b) .....

(3) The [<sup>F8</sup>local authority or, in the case of the Children’s Hearing or sheriff, the Principal Reporter,] whichever has jurisdiction under Articles 5 to 10 of the Convention<sup>F9</sup> ... (“the authority”)

(a) must provide through the Central Authority in Scotland a report to the Central Authority, or other competent authority, of the other Contracting State in accordance with Article 33(1) of the Convention, if the authority is exercising jurisdiction under the Convention<sup>F10</sup> ...

<sup>F11</sup>(b) .....

**Textual Amendments**

- F1** Words in reg. 12(1) inserted (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Modification of Subordinate Legislation\) Order 2013 \(S.S.I. 2013/147\)](#), art. 1, **sch. para. 13(5)(a)**; S.S.I. 2013/195, arts. 2, 3
- F2** Word in reg. 12(1)(a) omitted (31.12.2020) by virtue of [The Jurisdiction and Judgments \(Family, Civil Partnership and Marriage \(Same Sex Couples\)\) \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2019 \(S.S.I. 2019/104\)](#), reg. 1, **sch. 2 para. 3(5)(a)(i)** (with reg. 6) (as amended by S.S.I. 2020/441, regs. 1(2)(a), 16); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Reg. 12(1)(b) omitted (31.12.2020) by virtue of [The Jurisdiction and Judgments \(Family, Civil Partnership and Marriage \(Same Sex Couples\)\) \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2019 \(S.S.I. 2019/104\)](#), reg. 1, **sch. 2 para. 3(5)(a)(ii)** (with reg. 6) (as amended by S.S.I. 2020/441, regs. 1(2)(a), 16); 2020 c. 1, Sch. 5 para. 1(1)

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**Changes to legislation:** *There are currently no known outstanding effects for the The Parental Responsibility and Measures for the Protection of Children (International Obligations) (Scotland) Regulations 2010, Section 12. (See end of Document for details)*

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- F4** Words in reg. 12(2) inserted (24.6.2013) by The Children’s Hearings (Scotland) Act 2011 (Modification of Subordinate Legislation) Order 2013 (S.S.I. 2013/147), art. 1, **sch. para. 13(5)(a)**; S.S.I. 2013/195, arts. 2, 3
- F5** Words in reg. 12(2)(a) substituted (24.6.2013) by The Children’s Hearings (Scotland) Act 2011 (Modification of Subordinate Legislation) Order 2013 (S.S.I. 2013/147), art. 1, **sch. para. 13(5)(b)**; S.S.I. 2013/195, arts. 2, 3
- F6** Word in reg. 12(2)(a) omitted (31.12.2020) by virtue of The Jurisdiction and Judgments (Family, Civil Partnership and Marriage (Same Sex Couples)) (EU Exit) (Scotland) (Amendment etc.) Regulations 2019 (S.S.I. 2019/104), reg. 1, **sch. 2 para. 3(5)(b)(i)** (with reg. 6) (as amended by S.S.I. 2020/441, regs. 1(2)(a), 16); 2020 c. 1, Sch. 5 para. 1(1)
- F7** Reg. 12(2)(b) omitted (31.12.2020) by virtue of The Jurisdiction and Judgments (Family, Civil Partnership and Marriage (Same Sex Couples)) (EU Exit) (Scotland) (Amendment etc.) Regulations 2019 (S.S.I. 2019/104), reg. 1, **sch. 2 para. 3(5)(b)(ii)** (with reg. 6) (as amended by S.S.I. 2020/441, regs. 1(2)(a), 16); 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in reg. 12(3) substituted (24.6.2013) by The Children’s Hearings (Scotland) Act 2011 (Modification of Subordinate Legislation) Order 2013 (S.S.I. 2013/147), art. 1, **sch. para. 13(5)(c)**; S.S.I. 2013/195, arts. 2, 3
- F9** Words in reg. 12(3) omitted (31.12.2020) by virtue of The Jurisdiction and Judgments (Family, Civil Partnership and Marriage (Same Sex Couples)) (EU Exit) (Scotland) (Amendment etc.) Regulations 2019 (S.S.I. 2019/104), reg. 1, **sch. 2 para. 3(5)(c)(i)** (with reg. 6) (as amended by S.S.I. 2020/441, regs. 1(2)(a), 16); 2020 c. 1, Sch. 5 para. 1(1)
- F10** Word in reg. 12(3)(a) omitted (31.12.2020) by virtue of The Jurisdiction and Judgments (Family, Civil Partnership and Marriage (Same Sex Couples)) (EU Exit) (Scotland) (Amendment etc.) Regulations 2019 (S.S.I. 2019/104), reg. 1, **sch. 2 para. 3(5)(c)(ii)** (with reg. 6) (as amended by S.S.I. 2020/441, regs. 1(2)(a), 16); 2020 c. 1, Sch. 5 para. 1(1)
- F11** Reg. 12(3)(b) omitted (31.12.2020) by virtue of The Jurisdiction and Judgments (Family, Civil Partnership and Marriage (Same Sex Couples)) (EU Exit) (Scotland) (Amendment etc.) Regulations 2019 (S.S.I. 2019/104), reg. 1, **sch. 2 para. 3(5)(c)(iii)** (with reg. 6) (as amended by S.S.I. 2020/441, regs. 1(2)(a), 16); 2020 c. 1, Sch. 5 para. 1(1)

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#### **Commencement Information**

- I1** Reg. 12 in force at 1.11.2012 as notified in the Edinburgh Gazette (dated 19.10.2012), see reg. 1(2)

**Changes to legislation:**

There are currently no known outstanding effects for the The Parental Responsibility and Measures for the Protection of Children (International Obligations) (Scotland) Regulations 2010, Section 12.