
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision in relation to the provision of aftercare to young people under section 29 of the Children (Scotland) Act 1995 (“the 1995 Act”). Section 66 of the Children and Young People (Scotland) Act 2014 makes a number of amendments to section 29 of the 1995 Act and it will come into force, so far as not already in force, on 1st April 2015 at the same time as this Order.

Article 2 specifies, for the purposes of section 29(8) of the 1995 Act, types of support which constitute “eligible needs”. Section 29(8) contains a definition of “eligible needs” for the purposes of section 29(5A)(a) of the 1995 Act (i.e. a person has “eligible needs” if the person needs care, attention or support of such type as the Scottish Ministers may by order specify). Section 29(5A)(a) obliges a local authority to, if it is satisfied that a person assessed under section 29(5) has eligible needs which cannot be met other than by taking action under section 29(5A)(a), provide the person with such advice, guidance and assistance as it considers necessary for the purposes of meeting those needs.