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SCOTTISH STATUTORY INSTRUMENTS

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**2022 No. 225**

**The Cross-border Placements (Effect of Deprivation  
of Liberty Orders) (Scotland) Regulations 2022**

**Review following transfer in cases of urgent necessity**

**12.**—(1) This regulation applies where a child who is the subject of a deprivation of liberty order is transferred from the residential care setting where the child was residing to another place under section 143 of the Act (as modified by regulation 13).

(2) Where paragraph (1) of regulation 4 applies in relation to the order, paragraph (2) of that regulation is to be read as if, after sub-paragraph (a), there were inserted—

“(aa) the end of the period of 14 days beginning with the day on which the child who is the subject of the order was transferred to another place under section 143 of the Act.”.

(3) Where paragraph (1) of regulation 5 applies in relation to the order, paragraph (4) of that regulation is to be read as if, for that paragraph, there were substituted—

“(4) Paragraph (1) ceases to apply on the earlier of the following occurrences—

(a) the deprivation of liberty order ceasing to have effect in the jurisdiction of the court which made the order,

(b) the end of—

(i) a relevant period (as determined in accordance with paragraph (5)), or

(ii) the end of the period of 14 days beginning with the day on which the child who is the subject of the order was transferred to another place under section 143 of the Act,

unless the deprivation of liberty order is, on or before the last day of the relevant period or, as the case may be, the period of 14 days, reviewed and continued in effect beyond the end of the relevant period or, as the case may be, the period of 14 days by the court which made the order.”.