



Social Work (Scotland) Act 1968

1968 CHAPTER 49

PART III

CHILDREN IN NEED OF COMPULSORY MEASURES OF CARE

46 Children to whom Part IV of the Mental Health (Scotland) Act 1960 may apply.

- (1) Where a children's hearing are of the opinion, after considering the case of any child, that an application for admission to hospital or a guardianship application under [^{F1}Part V of the Mental Health (Scotland) Act 1984] should be made to the sheriff in respect of the child, they shall make a report to that effect to the mental health officer concerned.
- (2) Nothing in the provisions of the foregoing subsection shall affect the saving for arrangements for the voluntary treatment of mental disorder contained in [^{F2}section 17(2) of the said Act of 1984].

Textual Amendments

- F1** Words substituted by [Mental Health \(Scotland\) Act 1984 \(c. 36, SIF 85\)](#), s. 127(1), [Sch. 3 para. 16\(a\)](#)
- F2** Words substituted by [Mental Health \(Scotland\) Act 1984 \(c. 36, SIF 85\)](#), s. 127(1), [Sch. 3 para. 16\(b\)](#)

Status:

Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation:

Social Work (Scotland) Act 1968, Section 46 is up to date with all changes known to be in force on or before 31 July 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.