



Social Work (Scotland) Act 1968

1968 CHAPTER 49

PART VI

CONTRIBUTIONS IN RESPECT OF CHILDREN IN CARE ETC.

78 Duty to make contributions in respect of children in care etc.

(1) Where a child [^{F1}is being looked after by a local authority] or a supervision requirement to which this Part of this Act applies has been made in respect of him, contributions in respect of the child (hereinafter in this Part of this Act referred to as the “maintainable child”) shall be payable—

- (a) while the maintainable child is under sixteen years of age, by [^{F2}any natural person who has parental responsibilities (within the meaning of section 1(3) of the Children (Scotland) Act 1995) in relation to him];
- (b) if he is over sixteen years of age . . . ^{F3}, by the maintainable child himself.

[^{F4}(2) This Part of this Act applies to any supervision requirement which, under paragraph (a) of section 70(3) of the Children (Scotland) Act 1995, requires the child concerned to reside in a place or places other than his own home.]

[^{F5}(2A) No contributions shall be payable under subsection (1)(a) of this section by a contributor during a period when he is in receipt [^{F6}of income support [^{F7}, an income based jobseeker’s allowance (payable under the Jobseekers Act 1995)] or family credit.]]

(3) In this Part of this Act “contributor” means a person liable to make contributions by virtue of subsection (1) of this section in respect of a maintainable child.

Textual Amendments

- F1** Words in s. 78(1) substituted (12.12.1996 for certain purposes and otherwise 1.4.1997) by [1995 c. 36, s. 105\(4\)](#), [Sch. 4 para. 15\(17\)\(a\)\(i\)](#) (with [s. 103\(1\)](#)); [S.I. 1996/3201, art. 3\(6\)\(7\)](#) (which said art. 3(7) was substituted (7.3.1997) by [S.I. 1997/744, art. 2](#) (with transitional provisions inserted into [S.I. 1996/3201](#) by [art. 3](#)))

Status: Point in time view as at 12/12/1996. This version of this provision has been superseded.

Changes to legislation: *Social Work (Scotland) Act 1968, Section 78 is up to date with all changes known to be in force on or before 30 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. (See end of Document for details)*

- F2** Words in s. 78(1)(a) substituted (1.11.1996) by 1995 c. 36, s. 105(4), **Sch. 4 para. 15(17)(a)(ii)** (with s. 103(1)); S.I. 1996/2203, art. 3, **Sch.** (subject to arts. 4-7)
- F3** Words repealed by Health and Social Services and Social Security Adjudications Act 1983 (c. 41, SIF 113:3), **Sch. 10 Pt. I**
- F4** S. 78(2) substituted (12.12.1996 for certain purposes and otherwise 1.4.1997) by 1995 c. 36, s. 105(4), **Sch. 4 para. 15(17)(b)** (with s. 103(1)); S.I. 1996/3201, **art. 3(6)(7)** (which said art. 3(7) was substituted (7.3.1997) by S.I. 1997/744, **art. 2** (with transitional provisions inserted into S.I. 1996/3201 by **art. 3**))
- F5** S. 78(2A) inserted by Health and Social Services and Social Security Adjudications Act 1983 (c. 41, SIF 113:3), **s. 19(6)(b)**
- F6** Words substituted by Social Security Act 1986 (c. 50, SIF 113:1), s. 86(1), **Sch. 10 para. 41(1)**
- F7** Words in s. 78(2A) inserted (7.10.1996) by 1995 c. 18, s. 41(4), **Sch. 2 para. 1**; S.I. 1996/2208, **art. 2(b)**

Modifications etc. (not altering text)

- C1** S. 78 excluded by Adoption (Scotland) Act 1978 (c. 28, SIF 49:11), **s. 31(3)**

Status:

Point in time view as at 12/12/1996. This version of this provision has been superseded.

Changes to legislation:

Social Work (Scotland) Act 1968, Section 78 is up to date with all changes known to be in force on or before 30 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.