



# Children (Scotland) Act 1995

## 1995 CHAPTER 36

### PART II

#### PROMOTION OF CHILDREN'S WELFARE BY LOCAL AUTHORITIES AND BY CHILDREN'S HEARINGS ETC.

### CHAPTER 2

#### CHILDREN'S HEARINGS

##### *Qualifications, employment and duties of reporters*

#### **40 Qualification and employment of reporters.**

- (1) The qualifications of a reporter shall be such as the Secretary of State may prescribe.
- (2) A reporter shall not, without the consent of the Scottish Children's Reporter Administration, be employed by a local authority.
- (3) The Secretary of State may make regulations in relation to the functions of any reporter under this Act and the <sup>M1</sup>Criminal Procedure (Scotland) Act 1975.
- (4) The Secretary of State and the Lord Advocate may—
  - (a) by regulations empower a reporter, whether or not he is an advocate or solicitor, to conduct before a sheriff any proceedings which under this Chapter or Chapter 3 of this Part of this Act are heard by the sheriff;
  - (b) prescribe such requirements as they think fit as to qualifications, training or experience necessary for a reporter to be so empowered.
- (5) In this section, "reporter" means—
  - (a) the Principal Reporter; or
  - (b) any officer of the Scottish Children's Reporter Administration to whom there is delegated, under section 131(1) of the <sup>M2</sup>Local Government etc. (Scotland)

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*Status: Point in time view as at 01/08/1997. This version of this provision has been superseded.*

*Changes to legislation: Children (Scotland) Act 1995, Section 40 is up to date with all changes known to be in force on or before 19 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)*

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Act 1994, any of the functions which the Principal Reporter has under this or any other enactment.

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**Commencement Information**

- I1** S. 40 wholly in force at 1.4.1997; s. 40 not in force at Royal Assent see s. 105(1); s. 40 in force for certain purposes at 12.12.1996 by S.I. 1996/3201, art. 3(1) (with arts. 4-6 (as inserted (7.3.1997) by S.I. 1997/744, art. 3)); s. 40 in force at 1.4.1997 insofar as not already in force by S.I. 1996/3201, art. 3(7) (with arts. 4-6) (as amended (7.3.1997) by S.I. 1997/744, arts. 2, 3)

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**Marginal Citations**

- M1** 1975 c.21.  
**M2** 1994 c.39.

**Status:**

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