



Children (Scotland) Act 1995

1995 CHAPTER 36

PART II

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

CHAPTER 4

PARENTAL RESPONSIBILITIES ORDERS, ETC.

Parental responsibilities orders

88 Parental contact.

- (1) This section applies where a parental responsibilities order is being made, or as the case may be is in force, as respects a child.
- (2) The child shall, subject to subsection (3) below, be allowed reasonable contact by the appropriate authority with—
 - (a) each person who, immediately before the making of the parental responsibilities order, is a relevant person for the purposes of section 86 of this Act as respects the child; and
 - (b) where, immediately before that order was made—
 - (i) a residence order or contact order was in force with respect to the child, the person in whose favour the residence order or contact order was made;
 - (ii) a person was entitled to have the child residing with him under an order by a court of competent jurisdiction, that person.
- (3) Without prejudice to subsection (4) below, on an application made to him by the child, by the appropriate authority or by any person with an interest, the sheriff may make such order as he considers appropriate as to the contact, if any, which is to be allowed

Status: Point in time view as at 01/03/2005. This version of this provision has been superseded.
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between the child and any person specified in the order (whether or not a person described in paragraphs (a) and (b) of subsection (2) above).

- (4) A sheriff, on making a parental responsibilities order, or at any time while such an order remains in force as respects a child, may make an order under subsection (3) above as respects the child even where no application has been made to him in that regard.
- (5) An order under this section may impose such conditions as the sheriff considers appropriate; and he may vary or discharge such an order on the application of the child, the appropriate authority or any person with an interest.
- (6) An order under this section shall, if not first discharged by the sheriff, terminate when the parental responsibilities order to which it is referable does.

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