
STATUTORY INSTRUMENTS

1996 No. 3267

The Children (Reciprocal Enforcement of Prescribed Orders etc. (England and Wales and Northern Ireland)) (Scotland) Regulations 1996

Transfer of supervision requirements etc from Scotland to Northern Ireland

5.—(1) The supervision requirements as described and listed 1 to 5 in column 1 of Schedule 5 and a parental responsibilities order as described and listed as 6 in that column of that Schedule (appearing to the Secretary of State as generally corresponding in effect to those orders as described and listed with the corresponding numbers respectively in column 2 of that Schedule) shall in the circumstances described in paragraphs (2) and (3) have effect for all the purposes of the 1995 Order or the Northern Ireland 1968 Act (depending under which of these enactments the corresponding Northern Ireland order is made) as if they were orders under the enactments under which the corresponding Northern Ireland order is made placing the child in question in the care of or under the supervision, education supervision, training or probation of the authority in whose area he is to live.

(2) The circumstances referred to in paragraph (1) are that—

- (a) where a children's hearing under section 73(9) of the Act, following a notification under section 73(7) of the Act that it is proposed to move a child to Northern Ireland (or the child has already been so moved without notification), continues a supervision requirement with or without variation or insertion and the Principal Reporter has notified the authority in Northern Ireland under whose care, supervision, education supervision, probation or training and in whose area it is proposed the child will reside; or
- (b) where a child is subject to a parental responsibilities order, the local authority with responsibility for the child has notified the authority in Northern Ireland under whose care order and in whose area it is proposed the child will reside.

(3) The circumstances referred to in paragraph (1) are that the authority in Northern Ireland, under whose care, supervision, or education supervision, probation or training and in whose area it is proposed the child will reside, has consented to the proposed transfer in writing through the Principal Reporter in the case of a supervision requirement, or, in the case of a parental responsibilities order, directly to the local authority in Scotland in respect of whom the supervision requirement or parental responsibilities order has been made.

(4) The supervision requirements and parental responsibilities order referred to in paragraph (1) shall cease to have effect for the purposes of the law of Scotland in the circumstances prescribed in paragraphs (2) and (3).