
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 112

CHILDREN AND YOUNG PERSONS

**The Children's Hearings (Scotland) Act 2011
(Modification of Subordinate Legislation) Order 2014**

<i>Made</i>	- - - -	<i>23rd April 2014</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>25th April 2014</i>
<i>Coming into force</i>	- -	<i>2nd June 2014</i>

The Scottish Ministers make the following Order in exercise of the powers conferred by section 204 of the Children's Hearings (Scotland) Act 2011⁽¹⁾ and all other powers enabling them to do so.

Citation and commencement

1. This Order may be cited as the Children's Hearings (Scotland) Act 2011 (Modification of Subordinate Legislation) Order 2014 and comes into force on 2nd June 2014.

Modification of subordinate legislation

2. The Schedule to this Order, which makes modifications to subordinate legislation, has effect.

St Andrew's House, Edinburgh
23rd April 2014

AILEEN CAMPBELL
Authorised to sign by the Scottish Ministers

(1) 2011 asp 1.

SCHEDULE

Article 2

MODIFICATION OF SUBORDINATE LEGISLATION

Adoption Agencies (Scotland) Regulations 2009

1. (1) The Adoption Agencies (Scotland) Regulations 2009⁽²⁾ are amended as follows.
 - (2) In regulation 13(7) (adoption agency decisions) for “supervision requirement” substitute “compulsory supervision order”.
 - (3) In regulation 21 (application for a permanence order: child not subject to supervision requirement)—
 - (a) in the cross-heading for “**supervision requirement**” substitute “**compulsory supervision order**”; and
 - (b) in paragraph (1) for “supervision requirement” substitute “compulsory supervision order”.
 - (4) In regulation 22 (child subject to supervision requirement: referral to the Principal Reporter) —
 - (a) in the cross-heading for “**supervision requirement**” substitute “**compulsory supervision order**”; and
 - (b) for paragraph (1)(a) substitute—
 - “(a) “(a) an adoption agency which is an implementation authority (within the meaning of section 202 of the Children’s Hearings (Scotland) Act 2011 (“the 2011 Act”)) is under a duty to require, by notice to the Principal Reporter, a review of a compulsory supervision order where they are satisfied that the circumstances mentioned in section 131(2)(c)(i) or (d) of the 2011 Act exist; or”.
 - (5) In the cross-heading for regulation 23 (application for a permanence order: child subject to supervision requirement) for “**supervision requirement**” substitute “**compulsory supervision order**”.
 - (6) In paragraph 10 of Part II of Schedule 1 (information about the child) after “supervision requirements” insert “or compulsory supervision orders”.
 - (7) In the form in Schedule 8 (form of reference by adoption agency to Principal Reporter for advice by children’s hearing to the court) for “supervision requirement” substitute “compulsory supervision order”.

Looked After Children (Scotland) Regulations 2009

2. (1) The Looked After Children (Scotland) Regulations 2009⁽³⁾ are amended as follows.
 - (2) In regulation 45(4) (review of the child’s case: child placed with kinship carer, foster carer or in a residential establishment)—
 - (a) for sub-paragraph (a) substitute—
 - “(a) “(a) prior to the implementation authority requiring, by notice to the Principal Reporter, a review of a compulsory supervision order under section 131 of the 2011 Act;” and
 - (b) in sub-paragraph (c) for “1995 Act” substitute “2011 Act”.

(2) S.S.I. 2009/154 amended by S.S.I. 2013/147.

(3) S.S.I. 2009/210 amended by S.S.I. 2009/290, S.S.I. 2011/211 and S.S.I. 2013/147.

(3) In paragraph 6 of Schedule 4 (matters and obligations to be covered in foster and kinship placement arrangements) for “terms of section 70(5)(b) of the 1995 Act” substitute “an order containing (or that is varied so as to contain) a measure of the type mentioned in section 83(2)(g) or 87(2)(e) of the 2011 Act”.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes modifications of subordinate legislation. The modifications are consequential on, or ancillary to, the Children’s Hearings (Scotland) Act 2011.