



# Children's Hearings (Scotland) Act 2011

## 2011 asp 1

### PART 13 **S**

#### REVIEW OF COMPULSORY SUPERVISION ORDER

##### *Requirement for review*

#### **131** Duty of implementation authority to require review **S**

- (1) The implementation authority must, by notice to the Principal Reporter, require a review of a compulsory supervision order in relation to a child where the authority is satisfied that one or more of the circumstances set out in subsection (2) exist.
- (2) Those circumstances are—
  - (a) the compulsory supervision order ought to be terminated or varied,
  - (b) the compulsory supervision order is not being complied with,
  - (c) the best interests of the child would be served by the authority making one of the following applications, and the authority intends to make such an application—
    - (i) an application under section 80 of the Adoption and Children (Scotland) Act 2007 (asp 4) (the “2007 Act”) for a permanence order,
    - (ii) an application under section 92 of the 2007 Act for variation of such an order,
    - (iii) an application under section 93 of the 2007 Act for amendment of such an order,
    - (iv) an application under section 98 of the 2007 Act for revocation of such an order,
  - (d) the best interests of the child would be served by the authority placing the child for adoption and the authority intends to place the child for adoption,
  - (e) the authority is aware that an application has been made and is pending, or is about to be made, under section 29 or 30 of the 2007 Act for an adoption order in respect of the child.

*Changes to legislation: Children's Hearings (Scotland) Act 2011, Section 131 is up to date with all changes known to be in force on or before 29 December 2023. 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) View outstanding changes*

- (3) The Scottish Ministers may by regulations specify the period within which a requirement under subsection (1) must be made where the implementation authority is satisfied as to the existence of the circumstances mentioned in subsection (2)(a) to (d).
- (4) Different periods may be specified for different circumstances, or classes of circumstances.
- (5) Where an implementation authority is under a duty to require a review under subsection (1) by virtue of being satisfied as to the existence of the circumstances mentioned in subsection (2)(e), the authority must do so as soon as practicable after the authority becomes aware of the application.

**Modifications etc. (not altering text)**

- C1** S. 131(2) applied (with modifications) (24.6.2013) by [The Children's Hearings \(Scotland\) Act 2011 \(Transfer of Children to Scotland - Effect of Orders made in England and Wales or Northern Ireland\) Regulations 2013 \(S.S.I. 2013/99\)](#), regs. 1, **7(3)**

**Commencement Information**

- I1** S. 131 in force at 24.6.2013 by [S.S.I. 2013/195](#), **arts. 2, 3**

**Changes to legislation:**

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[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 17A inserted by [2020 asp 16 s. 6\(2\)](#)
- s. 25(3) inserted by [2020 asp 16 s. 30\(7\)](#)
- s. 27(3)-(4A) substituted for s. 27(3)(4) by [2020 asp 16 s. 3\(2\)](#)
- s. 62(5)(q)-(u) inserted by [2020 asp 9 s. 8\(2\)\(b\)](#)
- s. 163(2)-(2B) substituted for s. 163(2) by [2020 asp 16 s. 27\(3\)\(b\)](#)
- s. 164(2)-(2B) substituted for s. 164(2) by [2020 asp 16 s. 27\(4\)\(b\)](#)
- s. 165(2)-(2B) substituted for s. 165(2) by [2020 asp 16 s. 27\(5\)\(b\)](#)