



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 3

GENERAL CONSIDERATIONS

29 Sheriff: pre-condition for making certain orders and warrants

- (1) Subsection (2) applies where—
- (a) the sheriff is considering making a child assessment order,
 - (b) the sheriff is considering making or varying a child protection order,
 - (c) by virtue of section 156(1)(b) or (2)(b), the sheriff is considering—
 - (i) varying or continuing a compulsory supervision order,
 - (ii) making or varying an interim compulsory supervision order or an interim variation of a compulsory supervision order,
 - (iii) varying a medical examination order, or
 - (iv) granting a warrant to secure attendance,
 - (d) the sheriff is otherwise considering—
 - (i) making an interim compulsory supervision order or an interim variation of a compulsory supervision order, or
 - (ii) granting a warrant to secure attendance, or
 - (e) the sheriff is considering extending or varying an interim compulsory supervision order under section 98 or 99.
- (2) The sheriff may make, vary, continue or extend the order or interim variation or grant the warrant, only if the sheriff considers that it would be better for the child if the order, interim variation or warrant were in force than not.

Commencement Information

II S. 29 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

Changes to legislation:

Children's Hearings (Scotland) Act 2011, Section 29 is up to date with all changes known to be in force on or before 27 May 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.

[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\(5\)\(b\)](#)