



# Children's Hearings (Scotland) Act 2011

## 2011 asp 1

### PART 4

#### SAFEGUARDERS

#### 33 Functions of safeguarder

- (1) A safeguarder appointed in relation to a child by virtue of section 30 must—
- except where subsection (2) [<sup>F1</sup>or (3)] applies, on being so appointed, prepare a report setting out anything that, in the opinion of the safeguarder, is relevant to the consideration of the matter before the children's hearing,
  - so far as reasonably practicable, attend the children's hearing, and
  - prepare any report that the safeguarder is required to prepare by a children's hearing.
- (2) This subsection applies where the children's hearing directs the Principal Reporter under section 93(2)(a) or 94(2)(a) to make an application to the sheriff.
- [<sup>F2</sup>(3) This subsection applies where the children's hearing was arranged under section 45, 46, 50, 96, 126 or 158.]

#### Textual Amendments

- F1** Words in s. 33(1)(a) inserted (26.1.2015) by [Children and Young People \(Scotland\) Act 2014 \(asp 8\)](#), [ss. 82\(a\)](#), 102(3); [S.S.I. 2014/353](#), art. 2(2)(3), Sch.
- F2** S. 33(3) inserted (26.1.2015) by [Children and Young People \(Scotland\) Act 2014 \(asp 8\)](#), [ss. 82\(b\)](#), 102(3); [S.S.I. 2014/353](#), art. 2(2)(3), Sch.

#### Commencement Information

- I1** S. 33 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 33 is up to date with all changes known to be in force on or before 09 July 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\(5\)\(b\)](#)