



# Children's Hearings (Scotland) Act 2011

## 2011 asp 1

### PART 5

#### CHILD ASSESSMENT AND CHILD PROTECTION ORDERS

##### *Review by children's hearing of certain orders*

#### **45 Review by children's hearing where child in place of safety**

- (1) This section applies where—
  - (a) a child protection order is in force in respect of a child,
  - (b) the child has been taken to a place of safety by virtue of the order, and
  - (c) the Principal Reporter has not received notice under section 49 of an application to the sheriff to terminate or vary the order.
- (2) The Principal Reporter must arrange a children's hearing.
- (3) The Principal Reporter must arrange for the children's hearing to take place on the second working day after the day on which the child is taken to the place of safety.

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#### **Commencement Information**

**II** S. 45 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

#### **46 Review by children's hearing where order prevents removal of child**

- (1) This section applies where—
  - (a) a child protection order is in force in respect of a child,
  - (b) the order authorises the prevention of the removal of the child from a place, and
  - (c) the Principal Reporter has not received notice under section 49 of an application to the sheriff to terminate or vary the order.
- (2) The Principal Reporter must arrange a children's hearing.

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**Changes to legislation:** Children's Hearings (Scotland) Act 2011, Cross Heading: Review by children's hearing of certain orders is up to date with all changes known to be in force on or before 18 March 2024. 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](#)

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- (3) The Principal Reporter must arrange for the children's hearing to take place on the second working day after the day on which the child protection order is made.

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**Commencement Information**

**I2** S. 46 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

**Changes to legislation:**

Children's Hearings (Scotland) Act 2011, Cross Heading: Review by children's hearing of certain orders is up to date with all changes known to be in force on or before 18 March 2024. 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.

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**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\(5\)\(b\)](#)