



# Children's Hearings (Scotland) Act 2011

## 2011 asp 1

### PART 5 **S**

#### CHILD ASSESSMENT AND CHILD PROTECTION ORDERS

##### *Termination of order*

#### 52 Automatic termination of order **S**

- (1) This section applies where a child protection order contains an authorisation of the type mentioned in section 37(2)(b).
- (2) The order ceases to have effect at the end of the period of 24 hours beginning with the making of the order if the person specified in the order under section 37(2)(a) has not attempted to implement it within that period.
- (3) The order ceases to have effect at the end of the period of 6 days beginning with the making of the order if the child to whom the order relates has not been removed to a place of safety within that period.

#### Commencement Information

**II** S. 52 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

#### 53 Power of Principal Reporter to terminate order **S**

- (1) If the Principal Reporter is satisfied that the conditions for the making of a child protection order in respect of a child are no longer satisfied, the Principal Reporter may terminate the order by giving notice to—
  - (a) the person specified in the order under section 37(2)(a), or
  - (b) where there is no such person specified, the applicant for the order.
- (2) If the Principal Reporter is satisfied that the conditions for including a relevant direction in a child protection order in respect of a child are no longer satisfied, the Principal Reporter may vary the child protection order so as to terminate the direction by giving notice to—

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*Changes to legislation: Children's Hearings (Scotland) Act 2011, Cross Heading: Termination of order is up to date with all changes known to be in force on or before 22 April 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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- (a) the person specified in the order under section 37(2)(a), or
  - (b) where there is no such person specified, the applicant for the order.
- (3) A relevant direction is—
- (a) an information non-disclosure direction,
  - (b) a contact direction,
  - (c) a parental responsibilities and rights direction.
- (4) The Principal Reporter may not terminate or vary the order if—
- (a) a children's hearing arranged under section 45 or 46 has commenced, or
  - (b) proceedings before the sheriff in relation to an application under section 48 have commenced.
- (5) Where the Principal Reporter terminates or varies a child protection order under subsection (1), the Principal Reporter must notify the sheriff who granted the order.

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**Commencement Information**

**I2** S. 53 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

**54 Termination of order after maximum of 8 working days** S

A child protection order in respect of a child ceases to have effect on the earliest of—

- (a) the beginning of a children's hearing arranged under section 69 in relation to the child,
- (b) the person specified in the order under section 37(2)(a) or, where there is no such person specified, the applicant for the order receiving notice under section 68(3) that the question of whether a compulsory supervision order should be made in respect of the child will not be referred to a children's hearing,
- (c) where the order contains an authorisation of the type mentioned in section 37(2) (b), the end of the period of 8 working days beginning on the day <sup>[F1]</sup> after the day on which] the child was removed to a place of safety, or
- (d) where the order does not contain such an authorisation, the end of the period of 8 working days beginning on the day <sup>[F2]</sup> after the day on which] the order was made.

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**Textual Amendments**

**F1** Words in s. 54(c) inserted (26.1.2015) by [Children and Young People \(Scotland\) Act 2014 \(asp 8\)](#), [ss. 83, 102\(3\)](#); [S.S.I. 2014/353](#), [art. 2\(2\)\(3\)](#), [Sch. \(with art. 3\)](#)

**F2** Words in s. 54(d) inserted (26.1.2015) by [Children and Young People \(Scotland\) Act 2014 \(asp 8\)](#), [ss. 83, 102\(3\)](#); [S.S.I. 2014/353](#), [art. 2\(2\)\(3\)](#), [Sch. \(with art. 3\)](#)

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**Commencement Information**

**I3** S. 54 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: Termination of order is up to date with all changes known to be in force on or before 22 April 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\(5\)\(b\)](#)