



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 15

APPEALS

Requirement imposed on local authority: review and appeal

167 Appeals to sheriff principal: section 166

- (1) A local authority may appeal by stated case to the sheriff principal against—
 - (a) the determination by the sheriff under section 166(6) of which local authority is the relevant local authority for a child,
 - (b) the making of an order by the sheriff under section 166(8)(b).
- (2) A person mentioned in subsection (3) may appeal by stated case to the sheriff principal against the determination by the sheriff under section 166(6) of which local authority is the relevant local authority for a child.
- (3) The persons are—
 - (a) the child to whom the determination relates,
 - (b) a person representing that child,
 - (c) a relevant person in relation to that child,
 - (d) a person representing that person.
- (4) An appeal under this section must be made before the expiry of the period of 28 days beginning with the day on which the determination or, as the case may be, order was made.
- (5) An appeal under this section may be made—
 - (a) on a point of law, or
 - (b) in respect of any procedural irregularity.
- (6) On determining an appeal under this section, the sheriff principal must remit the case to the sheriff for disposal in accordance with such directions as the court may give.
- (7) A determination of an appeal under this section is final.

Changes to legislation: Children's Hearings (Scotland) Act 2011, Section 167 is up to date with all changes known to be in force on or before 24 January 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](#)

Commencement Information

II S. 167 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 167 is up to date with all changes known to be in force on or before 24 January 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 167 title substituted by [2020 asp 16 s. 27\(6\)\(d\)](#)
- s. 167(1) words substituted by [2020 asp 16 s. 27\(6\)\(a\)](#)
- s. 167(2) words substituted by [2020 asp 16 s. 27\(6\)\(b\)](#)
- s. 167(6) words substituted by [2020 asp 16 s. 27\(6\)\(c\)](#)

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