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**Changes to legislation:** There are currently no known outstanding effects for the Age of Legal Capacity (Scotland) Act 1991, Cross Heading: Law Reform (Parent and Child) (Scotland) Act 1986 (c.9). (See end of Document for details)

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## SCHEDULES

### SCHEDULE 1

#### AMENDMENT OF ENACTMENTS

##### *Law Reform (Parent and Child) (Scotland) Act 1986 (c.9)*

41 For section 4 substitute the following section—

**“4 Power of parent to appoint guardian.**

The parent of a child may appoint any person to be guardian of the child after his death, but any such appointment shall be of no effect unless—

- (a) the appointment is in writing and signed by the parent; and
- (b) the parent at the time of his death was guardian of the child or would have been such guardian if he had survived until after the birth of the child.”

42 In section 6(2), for the words “pupil child” substitute the words “child under the age of 16 years”; and for the word “tutor” substitute the word “guardian”.

43 In section 8, in paragraph (a) of the definition of “child” after the words “in relation to” insert the word “guardianship,” and in paragraph (d) for the words from “custody” to “curatory” substitute the words “guardianship, custody or access”; and in the definition of “parental rights” for the words “tutory, curatory” substitute the word “guardianship”.

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