
STATUTORY INSTRUMENTS

1997 No. 137 (C.10) (S.9)

CHILDREN AND YOUNG PERSONS

The Children (Scotland) Act 1995 (Commencement No. 2 and Transitional Provisions) (Amendment) Order 1997

Made - - - - 19th January 1997

The Secretary of State in exercise of the powers conferred upon him by section 105(1) and (2) of the Children (Scotland) Act 1995⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following order:

Citation and interpretation

1.—(1) This Order may be cited as the Children (Scotland) Act 1995 (Commencement No. 2 and Transitional Provisions) (Amendment) Order 1997.

(2) In this Order “the second commencement order” means the Children (Scotland) Act 1995 (Commencement No. 2 and Transitional Provisions) Order 1996⁽²⁾.

Amendment of the second commencement order

2. In the second commencement order after article 5 there shall be inserted the following:

“**5A** From 20th January 1997 until 1st April 1997 the reference in section 30(2) of the 1968 Act to a guardian shall be construed to include in relation to a child any person who, in the opinion of the court or children’s hearing having cognizance of any case in relation to the child or in which the child is concerned, has for the time being the custody or charge of or control over the child.”.

St Andrew’s House,
Edinburgh
19th January 1997

James-Douglas Hamilton
Minister of State, Scottish Office

(1) 1995 c. 36.
(2) S.I.1996/2203 as amended by S.I. 1996/2708.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Children (Scotland) Act 1995 (Commencement No. 2 and Transitional Provisions) Order 1996 by inserting a transitional provision in respect of the Social Work (Scotland) Act 1968.