
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 213

**The Parental Responsibility and Measures
for the Protection of Children (International
Obligations) (Scotland) Regulations 2010**

Local authorities and Children’s Hearings: placement of child in another Contracting State

12.—(1) This regulation applies if a local authority or Children’s Hearing in Scotland is contemplating—

- (a) placing a child in another Contracting State, within the meaning given by Article 33 of the Convention, or
- (b) placing a child in another member State, within the meaning given by Article 56 of the Council Regulation.

(2) This regulation applies if a Children’s Hearing is contemplating—

- (a) making a supervision requirement under section 70(3)(a) of the Children (Scotland) Act 1995 requiring a child to reside in another Contracting State, within the meaning given by Article 33 of the Convention, or
- (b) making a supervision requirement under section 70(3)(a) of the Children (Scotland) Act 1995 requiring a child to reside in another member State, within the meaning given by Article 56 of the Council Regulation.

(3) The local authority, or in the case of the Children’s Hearing the Principal Reporter, whichever has jurisdiction under Articles 5 to 10 of the Convention or Articles 8 to 14 of the Council Regulation, as the case may be (“the authority”)—

- (a) must provide through the Central Authority in Scotland a report to the Central Authority, or other competent authority, of the other Contracting State in accordance with Article 33(1) of the Convention, if the authority is exercising jurisdiction under the Convention, or
- (b) must consult the Central Authority, or other competent authority, of the other member State in accordance with Article 56 of the Council Regulation, if the authority is exercising jurisdiction under the Council Regulation.