

2014 No. 113

CHILDREN AND YOUNG PERSONS

**The Adoption and Children (Scotland) Act 2007 (Compulsory
Supervision Order Reports in Applications for Permanence
Orders) Regulations 2014**

<i>Made</i> - - - -	<i>23rd April 2014</i>
<i>Laid before the Scottish Parliament</i>	<i>25th April 2014</i>
<i>Coming into force</i> - -	<i>2nd June 2014</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 95(2) of the Adoption and Children (Scotland) Act 2007(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Adoption and Children (Scotland) Act 2007 (Compulsory Supervision Order Reports in Applications for Permanence Orders) Regulations 2014 and come into force on 2nd June 2014.

Interpretation

2. In these Regulations—

- “the 2011 Act” means the Children’s Hearings (Scotland) Act 2011(b); and
- “implementation authority” has the meaning given by section 83(1)(b) of the 2011 Act.

Compulsory supervision order report

3.—(1) The information prescribed for the purposes of section 95(2) of the Adoption and Children (Scotland) Act 2007 to be contained in the report prepared by the children’s hearing is—

- (a) the terms of the proposed compulsory supervision order and the reason for making it;
- (b) the terms of any current compulsory supervision order;
- (c) the terms of any proposed variation of any current compulsory supervision order and the reasons for making that variation; and
- (d) the record of the proceedings of the children’s hearing prepared in accordance with rule 13 of the Children’s Hearings (Scotland) Act 2011 (Rules of Procedure in Children’s Hearings) Rules 2013(c).

(a) 2007 asp 4.
(b) 2011 asp 1.
(c) S.S.I. 2013/194.

(2) In paragraph (1)(a), (b) and (c) “terms” includes—

- (a) any requirement contained in the compulsory supervision order under section 83(2)(h) of the 2011 Act;
- (b) any residence requirement contained in the compulsory supervision order under section 83(2)(a) of the 2011 Act; and
- (c) any duties imposed on the implementation authority and specified in the compulsory supervision order under section 83(2)(i) of the 2011 Act.

Revocation

4. The Adoption and Children (Scotland) Act 2007 (Supervision Requirement Reports in Applications for Permanence Orders) Regulations 2009(a) are revoked.

AILEEN CAMPBELL

Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
23rd April 2014

(a) S.S.I. 2009/169.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the information which must be contained in the report prepared by the children's hearing under section 95 of the Adoption and Children (Scotland) Act 2007. The report must be prepared where the children's hearing proposes to make a compulsory supervision order or vary (other than by interim variation) an existing compulsory supervision order in respect of a child who is the subject of an application for a permanence order or for the variation of such an order. The report by the children's hearing is prepared for the court to which the permanence order application has been made.

Under regulation 3(1) the report must contain the terms of the proposed new compulsory supervision order, any existing order and any proposed variation to an existing order. The report must state the reasons for making a new compulsory supervision order or varying an existing one. The report must also contain the record of the proceedings of the children's hearing prepared by the Principal Reporter under rule 13 of the Children's Hearings (Scotland) Act 2011 (Rules of Procedure in Children's Hearings) Rules 2013. Under regulation 3(2) the terms of a compulsory supervision order in regulation 3(1) includes any conditions, residence requirements or duties imposed on implementation authorities which are contained in the compulsory supervision order.

Regulation 4 revokes the Adoption and Children (Scotland) Act 2007 (Supervision Requirement Reports in Applications for Permanence Orders) Regulations 2009 which these Regulations replace.

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