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SCOTTISH STATUTORY INSTRUMENTS

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**2021 No. 420**

**CHILDREN AND YOUNG PERSONS  
JUSTICE**

**The Age of Criminal Responsibility (Scotland) Act 2019  
(Supplementary Provision) (Jurisdiction) Regulations 2021**

*Made* - - - - *16th November 2021*  
*Laid before the Scottish*  
*Parliament* - - - - *18th November 2021*  
*Coming into force* - - *17th December 2021*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 83(1) of the Age of Criminal Responsibility (Scotland) Act 2019<sup>(1)</sup> and all other powers enabling them to do so.

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Age of Criminal Responsibility (Scotland) Act 2019 (Supplementary Provision) (Jurisdiction) Regulations 2021 and come into force on 17 December 2021.

(2) In these Regulations, “the Act” means the Age of Criminal Responsibility (Scotland) Act 2019.

**Jurisdiction under Part 4 of the Act**

2.—(1) An application under Part 4 of the Act for—

- (a) an order under section 36,
- (b) a child interview order,
- (c) an order under section 63,

may be made only to a sheriff of a sheriffdom specified in paragraph (2).

(2) The specified sheriffdoms are either—

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*Status: This is the original version (as it was originally made).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

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- (a) the sheriffdom (if any) in which the child is habitually resident (but only where the behaviour referred to in section 36(2)(a), section 44(2)(a) or section 63(2)(a) of the Act is suspected to have taken place in Scotland), or
- (b) the sheriffdom where that behaviour is suspected to have occurred.

St Andrew's House,  
Edinburgh  
16th November 2021

*CLARE HAUGHEY*  
Authorised to sign by the Scottish Ministers

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations provide that an application for a search order, child interview order or order for the taking of forensic samples under the Age of Criminal Responsibility (Scotland) Act 2019 may be made either in the sheriffdom (if any) where the child is habitually resident or in the sheriffdom where the suspected behaviour by the child giving rise to the application is thought to have taken place. The 2019 Act itself does not contain provision setting out the basis of a sheriff's jurisdiction.