S C H E D U L E S

SCHEDULE 8

MINOR AND CONSEQUENTIAL AMENDMENTS

^{M1}*Matrimonial Proceedings (Children) Act 1958*
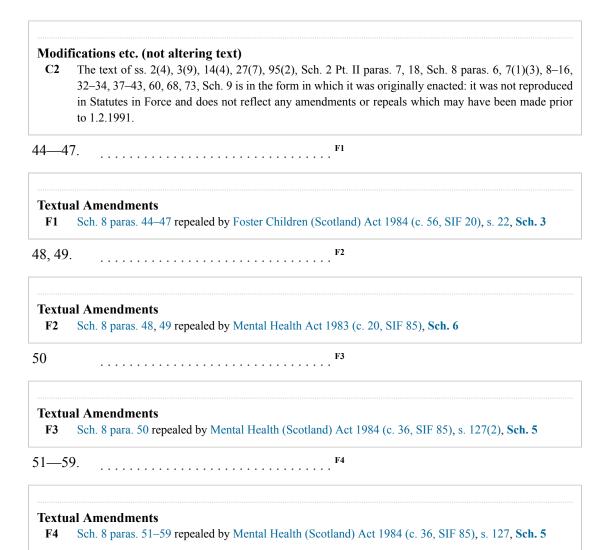
Marginal Citations
M1 1958 c. 40.

42 In section 10, for subsection (4) there shall be substituted the following subsection—

"(4) On the making of an order under this section committing the care of a child to a local authority, Part II of the Social Work (Scotland) Act 1968 (which relates to the treatment of children in care of local authorities) shall, subject to the provisions of this section, apply as if the child had been received by the local authority into their care under section 15 of that Act, so however that—
(a) the exercise by the local authority of their powers under or by virtue of sections 5, 20 to 22, 59 and 60 of that Act shall be subject to any directions given by the court ; and
(b) section 23 of that Act (which relates to arrangements for the emigration of a child under the care of a local authority) shall not apply."

Modifications etc. (not altering text)
C1 The text of ss. 2(4), 3(9), 14(4), 27(7), 95(2), Sch. 2 Pt. II paras. 7, 18, Sch. 8 paras. 6, 7(1)(3), 8-16, 32-34, 37-43, 60, 68, 73, Sch. 9 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

43 (1) In section 11(1), for the words "for the purpose" to "section" there shall be inserted the words ", not being an officer of the local authority for the purpose, appoint an appropriate local authority", and at the end of the subsection there shall be inserted the following subsection—

"(1A) In this section "local authority" has the same meaning as in the Social Work (Scotland) Act 1968."

(2) In subsection (5), for the words "designated officer" there shall be substituted the words "local authority or other person appointed".

Changes to legislation: Social Work (Scotland) Act 1968, Cross Heading: Matrimonial Proceedings
(Children) Act 1958 is up to date with all changes known to be in force on or before 13 August 2023. There
are changes that may be brought into force at a future date. Changes that have been made appear in the
content and are referenced with annotations. (See end of Document for details) View outstanding changes

Modifications etc. (not altering text)

C2   The text of ss. 2(4), 3(9), 14(4), 27(7), 95(2), Sch. 2 Pt. II paras. 7, 18, Sch. 8 paras. 6, 7(1)(3), 8–16, 32–34, 37–43, 60, 68, 73, Sch. 9 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

44—47.   . . . .   **F1**

Textual Amendments

F1   Sch. 8 paras. 44–47 repealed by Foster Children (Scotland) Act 1984 (c. 56, SIF 20), s. 22, **Sch. 3**

48, 49.   . . . .   **F2**

Textual Amendments

F2   Sch. 8 paras. 48, 49 repealed by Mental Health Act 1983 (c. 20, SIF 85), **Sch. 6**

50   . . . .   **F3**

Textual Amendments

F3   Sch. 8 para. 50 repealed by Mental Health (Scotland) Act 1984 (c. 36, SIF 85), s. 127(2), **Sch. 5**

51—59.   . . . .   **F4**

Textual Amendments

F4   Sch. 8 paras. 51–59 repealed by Mental Health (Scotland) Act 1984 (c. 36, SIF 85), s. 127, **Sch. 5**

Changes to legislation:
Social Work (Scotland) Act 1968, Cross Heading: Matrimonial Proceedings (Children) Act 1958 is up to date with all changes known to be in force on or before 13 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

– s. 27(1)(za) inserted by 2023 asp 4 s. 1(5)
– s. 29(3)(j) repealed by 2005 asp 3 Sch. 5 para. 1
– s. 61B inserted by 2000 asp 4 s. 36 (This amendment not applied to legislation.gov.uk. S. 36 repealed (1.4.2002) without ever being in force by 2001 asp 8, Sch. 4; S.S.I. 2002/162, art. 2 (with arts. 3-13))
– s. 62(3)(d) inserted by 2000 asp 4 s. 38(3) (This amendment not applied to legislation.gov.uk. S. 38 repealed (1.4.2002) without ever being in force by 2001 asp 8, Sch. 4; S.S.I. 2002/162, art. 2 (with arts. 3-13))
– s. 64A(1)(e) and word inserted by 2000 asp 4 Sch. 5 para. 10 (This amendment not applied to legislation.gov.uk. Sch. 5 para. 10 repealed (1.4.2002) without ever being in force by 2001 asp 8, Sch. 4; S.S.I. 2002/162, art. 2 (with arts. 3-13))
– s. 87A inserted by 2007 asp 10 s. 66