



Adoption (Scotland) Act 1978

1978 CHAPTER 28

PART III

CARE AND PROTECTION OF CHILDREN AWAITING ADOPTION

Protected children

34 Removal of protected children from unsuitable surroundings

- (1) If the sheriff is satisfied, on the complaint of a local authority, that a protected child is being kept or is about to be received by any person who is unfit to have his care or in any premises or any environment detrimental or likely to be detrimental to him, the sheriff may make an order for his removal to a place of safety until he can be restored to a parent, relative or guardian of his, or until other arrangements can be made with respect to him ; and on proof that there is imminent danger to the health or well-being of the child the power to make an order under this section may be exercised by a justice of the peace acting on the application of a person authorised to visit protected children.
- (2) An order under this section may be executed by any person authorised to visit protected children or by any constable and may be executed on a Sunday.
- (3) A local authority may receive into their care under section 15 of the Social Work (Scotland) Act 1968 any child removed under this section, whether or not the circumstances of the child are such that they fall within paragraphs (a) to (c) of subsection (1) of that section and notwithstanding that he may appear to the local authority to be over the age of 17 years.
- (4) Where a child is removed under this section the local authority shall, if practicable, inform a parent or guardian of the child, or any person who acts as his guardian.