

SCHEDULES

SCHEDULE 4

MINOR AND CONSEQUENTIAL AMENDMENTS

Children and Young Persons (Scotland) Act 1937 (c. 37)

- 7 (1) The Children and Young Persons (Scotland) Act 1937 shall be amended in accordance with this paragraph.
- (2) In section 12 (cruelty to persons under sixteen)—
- (a) in subsection (1), for the words from “has the custody” to “that age” substitute “who has parental responsibilities in relation to a child or to a young person under that age or has charge or care of a child or such a young person,”;
 - (b) in subsection (2)(a), after the words “young person” insert “or the legal guardian of a child or young person”; and
 - (c) in subsection (4), for the words from “of whom” to “or care” substitute “and he had parental responsibilities in relation to, or charge or care of, that child or young person”.
- (3) In section 15 (causing or allowing persons under sixteen to be used for begging), in each of subsections (1) and (2), for the words “the custody” substitute “parental responsibilities in relation to, or having”.
- (4) In section 22 (exposing children under seven to risk of burning), for the words from “having the custody” to “seven years” substitute “and who has parental responsibilities in relation to a child under the age of seven years or charge or care of such a child”.
- (5) In section 27 (interpretation)—
- (a) the first paragraph shall cease to have effect; and
 - (b) in the second paragraph, for the words “the custody of” substitute “parental responsibilities in relation to”.
- (6) In section 110(1) (interpretation)—
- (a) after the definition of “local authority” insert—
 - ““parental responsibilities” has the same meaning as in section 1(3) of the Children (Scotland) Act 1995 and includes the responsibilities which a father would have as a parent but for the operation of section 3(1)(b) of that Act;”;
 - (b) for the definition of “Place of Safety”, substitute
 - ““place of safety” has the meaning give by section 93(1) of the Children (Scotland) Act 1995;”;
 - (c) for the definition of “Residential establishment” substitute

Status: This is the original version (as it was originally enacted).

““residential establishment” has the meaning given by the said section 93(1);”.