



Children (Scotland) Act 1995

1995 CHAPTER 36

PART I

PARENTS, CHILDREN AND GUARDIANS

Parental responsibilities and parental rights

1 Parental responsibilities

- (1) Subject to section 3(1)(b) and (3) of this Act, a parent has in relation to his child the responsibility—
 - (a) to safeguard and promote the child's health, development and welfare;
 - (b) to provide, in a manner appropriate to the stage of development of the child—
 - (i) direction;
 - (ii) guidance,to the child;
 - (c) if the child is not living with the parent, to maintain personal relations and direct contact with the child on a regular basis; and
 - (d) to act as the child's legal representative,but only in so far as compliance with this section is practicable and in the interests of the child.
- (2) "Child" means for the purposes of—
 - (a) paragraphs (a), (b)(i), (c) and (d) of subsection (1) above, a person under the age of sixteen years;
 - (b) paragraph (b)(ii) of that subsection, a person under the age of eighteen years.
- (3) The responsibilities mentioned in paragraphs (a) to (d) of subsection (1) above are in this Act referred to as "parental responsibilities"; and the child, or any person acting on his behalf, shall have title to sue, or to defend, in any proceedings as respects those responsibilities.

Status: This is the original version (as it was originally enacted).

- (4) The parental responsibilities supersede any analogous duties imposed on a parent at common law; but this section is without prejudice to any other duty so imposed on him or to any duty imposed on him by, under or by virtue of any other provision of this Act or of any other enactment.