



Children and Young Persons (Scotland) Act 1937

1937 CHAPTER 37 1 Edw 8 and 1 Geo 6

PART IV

PROTECTION OF CHILDREN AND YOUNG PERSONS IN RELATION TO CRIMINAL PROCEEDINGS

General Provisions as to Proceedings in Court

^{F1}46 Power to prohibit publication of certain matter in newspapers.

- (1) In relation to any proceedings in any court . . . ^{F2}, the court may direct that—
- (a) no newspaper report of the proceedings shall reveal the name, address, or school, or include any particulars calculated to lead to the identification, of [^{F3}a person under the age of seventeen years] concerned in the proceedings, either as being the person [^{F4}by or against] or in respect of whom the proceedings are taken, or as being a witness therein;
 - (b) no picture shall be published in any newspaper as being or including a picture of [^{F3}a person under the age of seventeen years] so concerned in the proceedings as aforesaid;
- except in so far (if at all) as may be permitted by the direction of the court.
- (2) Any person who publishes any matter in contravention of any such direction shall on summary conviction be liable in respect of each offence to a fine not exceeding [^{F5}level 4 on the standard scale].

Textual Amendments

- F1** S. 46 repealed (E.W.)(S.) by [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\)](#), s. 460, [Sch. 10 Pt. 1](#) so far as relating to criminal proceedings; extended by [Children and Young Persons Act 1963 \(c. 37\)](#), [s. 57\(3\)\(4\)](#)
- F2** Words repealed by [Children and Young Persons Act 1963 \(c. 37\)](#), s. 64, [Sch. 5](#)

Changes to legislation: There are currently no known outstanding effects for the Children and Young Persons (Scotland) Act 1937, Section 46. (See end of Document for details)

- F3** Words substituted by [Social Work \(Scotland\) Act 1968 \(c. 49\)](#), **Sch. 2 para. 7**
- F4** Words substituted by [Children and Young Persons Act 1963 \(c. 37\)](#), **s. 57(1)**
- F5** Words substituted by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **s. 289G** and by [1995 c. 40, ss. 3, 7\(2\)](#), [Sch. 1 para. 3\(1\)](#), **Sch. 2 Pt. II** it is provided (1.4.1996) that s. 46(2) shall have effect as if the maximum fine that may be imposed on a summary conviction for the offence mentioned therein were a fine not exceeding level 4 on the standard scale instead of a fine not exceeding £50

Modifications etc. (not altering text)

- C1** S. 46 extended with modifications by [Cable and Broadcasting Act 1984 \(c. 46, SIF 96\)](#), s. 57(1), **Sch. 5 para. 5(3)**
- C2** S. 46 applied with modifications by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), s. 203(1), **Sch. 20 para. 4(2)**
- C3** S. 46 applied (4.4.2005) by [Antisocial Behaviour etc. \(Scotland\) Act 2004 \(asp 8\)](#), **ss. 111(5), 145(2)**; S.S.I. 2004/420, art. 3, sch. 5

Changes to legislation:

There are currently no known outstanding effects for the Children and Young Persons (Scotland) Act 1937, Section 46.