Changes to legislation: *Matrimonial Proceedings (Children) Act 1958, Section 12 is up to date with all changes known to be in force on or before 16 January 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*

Matrimonial Proceedings (Children) Act 1958

1958 CHAPTER 40 6 and 7 Eliz 2

PART II

JURISDICTION IN SCOTLAND

[F1**12   Power of court to provide for supervision of child.**

(1) If it appears to the court as respects any child for whose custody it has power to make provision in connection with an action for divorce, nullity of marriage or separation that there are exceptional circumstances making it desirable that the child should be under the supervision of an independent person, the court may, as respects any period during which the child is committed to the custody of any person, make an order placing the child under the supervision . . . F2 of a local authority.

(2) Where the court makes an order under this section for supervision by a local authority that authority shall be [F3a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994]] selected by the court and specified in the order.

(3) F4

(4) The court shall not have power to make an order under this section as respects a child who in pursuance of an order under section ten of this Act is in the care of a local authority.

Textual Amendments

F1   S. 12 repealed (S.) (1.11.1996) by 1995 c. 36, s. 105(5), **Sch. 5**; S.I. 1996/2203, art. 3(3), **Sch.** Table

F2   Words repealed (S.) by Social Work (Scotland) Act 1968 (c. 49), **Sch. 9 Pt. I**

F3   Words in s. 12(2) substituted (S.) (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 50**; S.I. 1996/323, **art. 4(1)(c)**

F4   Ss. 11(2)(3), 12(3) repealed by Social Work (Scotland) Act 1968 (c. 49), **Sch. 9 Pt. I**

Changes to legislation:
Matrimonial Proceedings (Children) Act 1958, Section 12 is up to date with all changes known to be in force on or before 16 January 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. 11(1B)(1C) inserted by 2020 asp 16 s. 19(2)