
STATUTORY INSTRUMENTS

1996 No. 3267

The Children (Reciprocal Enforcement of Prescribed Orders etc. (England and Wales and Northern Ireland)) (Scotland) Regulations 1996

Transfer of care etc. orders from England and Wales to Scotland

2.—(1) The orders listed in Schedule 1 (being orders made by a court in England and Wales which appear to the Secretary of State to correspond generally to a supervision requirement made under the Act) shall have effect in the circumstances prescribed in paragraphs (2) and (3) for all the purposes of the Act in Scotland as if they were supervision requirements under section 70(1) of the Act made by a children's hearing for the local authority in whose area it is proposed the child or young person is to live.

(2) The circumstances referred to in paragraph (1) are that the court has given its approval under paragraph 19(1) of Schedule 2 to the 1989 Act or section 26A(1) of the 1969 Act in respect of the orders listed in Schedule 1 to the authority arranging or assisting in arranging for the child or young person to live in Scotland, and for the purposes of this paragraph the 1969 Act is modified in accordance with the provisions set out in Schedule 2.

(3) The circumstances referred to in paragraph (1) are that—

- (a) the local authority for the area in which the child or young person is to live in Scotland (or to which the child or young person has moved without prior notice) has through the Principal Reporter notified the court referred to in paragraph (2) in writing that it agrees to take over the care, supervision or education supervision of the child or young person; and
- (b) the authority arranging or assisting the arranging for the child or young person referred to in paragraph (2) to live in Scotland has notified the court referred to in that paragraph that it agrees to the local authority in Scotland taking over the care or supervision or education supervision of the child or young person.

(4) The orders referred to in paragraph (1) shall cease to have effect for the purposes of the law of England and Wales in the circumstances prescribed in paragraphs (2) and (3).