
STATUTORY INSTRUMENTS

1997 No. 291

Act of Sederunt (Child Care and Maintenance Rules) 1997

CHAPTER 3

CHILDREN (SCOTLAND) ACT 1995

PART VIII

PROCEDURE IN APPEALS UNDER SECTION 51(1) OF THE ACT

Appointment and intimation of first diet

3.54.—(1) On the lodging of the appeal, the sheriff clerk shall forthwith assign a date for the hearing and shall at the same time intimate to the appellant or his representative and, together with a copy of the appeal, to—

- (a) the Principal Reporter;
- (b) subject to the provisions of paragraph (4), the child (if not the appellant);
- (c) the relevant person (if not the appellant);
- (d) any safeguarder appointed for the purposes of the appeal by the sheriff or appointed by the chairman of the children's hearing; and
- (e) any other person the sheriff thinks necessary.

(2) The sheriff clerk shall endorse on the appeal a certificate of execution of intimation under paragraph (1).

(3) Intimation to a child in terms of paragraph (1)(b) shall be in Form 64.

(4) The sheriff may dispense with intimation to a child in terms of paragraph (1)(b) where he considers that such dispensation is appropriate.

(5) The date assigned for the hearing under paragraph (1) shall be no later than 28 days after the lodging of the appeal.