

---

STATUTORY INSTRUMENTS

---

**1997 No. 291**

**Act of Sederunt (Child Care and Maintenance Rules) 1997**

CHAPTER 3

CHILDREN (SCOTLAND) ACT 1995

PART II

GENERAL RULES

*SAFEGUARDERS*

**Rights, powers and duties of safeguarder on appointment**

**3.8** A safeguarder appointed in an application shall—

- (a) have the powers and duties at common law of a curator *ad litem* in respect of the child;
- (b) be entitled to receive from the Principal Reporter copies of the application, all of the productions in the proceedings and any papers which were before the children's hearing;
- (c) subject to rule 3.5(1)(a), determine whether the child wishes to express his views in relation to the application and, if so, where the child so wishes transmit his views to the sheriff;
- (d) make such enquiries so far as relevant to the application as he considers appropriate; and
- (e) without delay, and in any event before the hearing on the application, intimate in writing to the sheriff clerk whether or not he intends to become a party to the proceedings.