



Commissioner for Children and Young People (Scotland) Act 2003

2003 asp 17

Interpretation, commencement and short title

16 Interpretation

(1) In this Act, unless the context otherwise requires—

“action” includes failure to act and related expressions are to be construed accordingly;

“best practice” means such practice in relation to the rights of children and young people as appears to the Commissioner to be desirable;

“child friendly version”, in relation to a report, means a version or summary which is specifically designed to take account, so far as practicable, of the age, understanding and usual language of any children or young people by whom it is intended that the report should be read;

“children and young people” means natural persons in Scotland who are under the age of 18 years or, if they have at any time been in the care of, or looked after by, a local authority or Northern Ireland authority, under the age of 21 years; and related expressions have corresponding meanings;

“Commissioner” means the Commissioner for Children and Young People in Scotland;

“equal opportunities” and “equal opportunity requirements” have the same meaning as in Section L2 of Part II of Schedule 5 to the Scotland Act;

“local authority” means any council of a county, city, town, burgh, borough, district, island or other local government area in Scotland, England or Wales;

“looked after”, in relation to a local authority in Scotland, has the same meaning as in section 17(6) of the Children (Scotland) Act 1995 (c. 36), in relation to a local authority in England and Wales, has the same meaning as in section 22(1) of the Children Act 1989 (c. 41) and in relation to a Northern Ireland authority, has the same meaning as in article 25(1) of the Children (Northern Ireland) Order 1995 (SI 1995/755);

“Northern Ireland authority” means [^{F1}an authority within the meaning of Article 2(2) of the Children (Northern Ireland) Order 1995];

“Scotland Act” means the Scotland Act 1998 (c. 46);

Changes to legislation: Commissioner for Children and Young People (Scotland) Act 2003, Section 16 is up to date with all changes known to be in force on or before 29 February 2024. 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](#)

“Scottish Law Officer” means the Lord Advocate or the Solicitor General for Scotland;

“service provider” means any person providing services for children and young people but does not include a parent or guardian exercising the responsibilities imposed or the rights conferred by sections 1 and 2 of the Children (Scotland) Act 1995 (c. 36); and

“terms” includes conditions.

- (2) Any reference in this Act to the United Nations Convention on the Rights of the Child is to that Convention read subject to any reservations, objections or interpretative declarations by the United Kingdom for the time being in force.

Textual Amendments

- F1** Words in s. 16 substituted (30.11.2022) by [The Health and Social Care Act \(Northern Ireland\) 2022 \(Consequential Amendments\) Order 2022 \(S.I. 2022/1174\)](#), arts. 1(2), **26**

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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. 4(2A) inserted by [2024 asp 1 s. 11\(2\)](#)