



Adoption and Children (Scotland) Act 2007

2007 asp 4

PART 2

PERMANENCE ORDERS

Orders and supervision requirements

97 **[^{F1}Interim orders and revocation of compulsory supervision order]**

- (1) Subsection (2) applies where an application is made for a permanence order, or variation of such an order, in respect of a child.
- (2) The appropriate court may make such interim order as it thinks fit.
- (3) Subsection (4) applies where—
 - (a) the child in respect of whom an interim order is to be made is subject to a [^{F2}compulsory supervision order], and
 - (b) the court is satisfied that, were it to make an interim order in relation to the child, [^{F3}it would no longer be necessary that, for the protection, guidance, treatment or control of the child, the child be subject to the compulsory supervision order.]
- (4) The court must make an order providing that, on the making of the interim order, the [^{F4}compulsory supervision order] ceases to have effect.
- (5) If—
 - (a) the child in respect of whom an interim order is made is subject to a [^{F5}compulsory supervision order], and
 - (b) the provisions of the [^{F6}interim order conflict, or are otherwise inconsistent, with the compulsory supervision order]the provisions of the [^{F7}interim] order prevail.

Changes to legislation: Adoption and Children (Scotland) Act 2007, Section 97 is up to date with all changes known to be in force on or before 09 April 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

- (6) In subsection (1), the reference to variation of a permanence order includes a reference to amendment of the order to include provision granting authority for the child to whom the order relates to be adopted.

Textual Amendments

- F1** S. 97 title substituted (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Modification of Primary Legislation\) Order 2013 \(S.S.I. 2013/211\)](#), art. 1, **Sch. 1 para. 17(10)**
- F2** Words in s. 97(3)(a) substituted (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Modification of Primary Legislation\) Order 2013 \(S.S.I. 2013/211\)](#), art. 1, **Sch. 1 para. 17(10)(a)(i)**
- F3** Words in s. 97(3)(b) substituted (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Modification of Primary Legislation\) Order 2013 \(S.S.I. 2013/211\)](#), art. 1, **Sch. 1 para. 17(10)(a)(ii)**
- F4** Words in s. 97(4) substituted (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Modification of Primary Legislation\) Order 2013 \(S.S.I. 2013/211\)](#), art. 1, **Sch. 1 para. 17(10)(b)**
- F5** Words in s. 97(5)(a) substituted (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Modification of Primary Legislation\) Order 2013 \(S.S.I. 2013/211\)](#), art. 1, **Sch. 1 para. 17(10)(c)(i)**
- F6** Words in s. 97(5)(b) substituted (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Modification of Primary Legislation\) Order 2013 \(S.S.I. 2013/211\)](#), art. 1, **Sch. 1 para. 17(10)(c)(ii)**
- F7** Word in s. 97(5) inserted (24.6.2013) by [The Children’s Hearings \(Scotland\) Act 2011 \(Modification of Primary Legislation\) Order 2013 \(S.S.I. 2013/211\)](#), art. 1, **Sch. 1 para. 17(10)(c)(iii)**

Commencement Information

- I1** S. 97 in force at 28.9.2009 by [S.S.I. 2009/267](#), **arts. 1(2)**, 2 (with arts. 3-21) (as amended (7.5.2012) by [S.S.I. 2012/99](#), art. 2)

Changes to legislation:

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[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. 14(3A) inserted by [2020 asp 16 s. 30\(5\)](#)
- s. 14(4A)-(4C) inserted by [2020 asp 16 s. 2\(2\)\(c\)](#)
- s. 84(5A)(5B) inserted by [2020 asp 16 s. 2\(3\)\(c\)](#)