

CHILDREN'S HEARINGS (SCOTLAND) ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 14 – Implementation of Orders

Movement restriction conditions: regulations etc.

Section 150 – Movement restriction conditions: regulations etc.

216. This section enables the Scottish Ministers to make regulations relating to the restrictions that can be placed upon a child and the monitoring arrangements that may be imposed as part of a movement restriction condition. Subsection (2) provides that the regulations may in particular: prescribe methods of monitoring compliance; specify the devices that may be used for monitoring; prescribe the people who can carry out the monitoring; specify a maximum duration of any movement restriction condition included in an order; require that the condition be varied to designate another person if the person designated ceases to be a prescribed person or fall within a class of prescribed persons. Regulations will be subject to affirmative procedure. Subsection (4) provides that Ministers may make arrangements, including contractual arrangements, to have monitoring carried out and subsection (5) provides for appropriate information sharing with a person providing a monitoring service in order to allow full and proper provision of that monitoring.