

CHILDREN'S HEARINGS (SCOTLAND) ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 5 – Child Assessment and Child Protection Orders

Variation or termination of order by sheriff

Section 48 – Application for variation or termination

50. This section relates to an application to the sheriff to vary or terminate a child protection order. Subsection (1) sets out the persons eligible to seek a variation of a child protection order and subsection (2) sets out the persons eligible to apply for the termination of a child protection order. The Principal Reporter cannot apply for a termination. Subsection (3) provides that an application to the sheriff can only be made before a Children's Hearing arranged under section 45 or 46 is commenced or if the order was continued by a Children's Hearing arranged under section 45 or 46 within 2 working days from the continuation of the order.