

CHILDREN'S HEARINGS (SCOTLAND) ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1 – the National Convener and Children's Hearings Scotland (Chs)

Power to change National Convener's functions

Section 10 – Power to change National Convener's functions

12. This section gives the Scottish Ministers power to vary the functions of the National Convener. Ministers may specify further functions for the National Convener, either by creating entirely new functions or through transferring functions from existing bodies or persons. Functions may also be removed from the National Convener or transferred to another body or person, should Ministers consider this to be appropriate. Any such change to the functions of the National Convener will require to be made by an order subject to super-affirmative procedure. Subsection (1)(e) confers power on the Scottish Ministers to specify the manner in which the National Convener must carry out a function or the time period in which the function must be carried out. Any such specification will require to be made by an order subject to affirmative procedure. See sections 197 and 198 for definitions of "affirmative procedure" and "super-affirmative procedure".