



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 15

APPEALS

Appeals to sheriff principal and Court of Session

164 Appeals to sheriff principal and Court of Session: relevant persons

- (1) A person mentioned in subsection (3) may appeal by stated case to the sheriff principal or the Court of Session against a decision of the sheriff in an appeal against a determination of a pre-hearing panel or children's hearing that an individual is or is not to be deemed a relevant person in relation to the child.
- (2) A person mentioned in subsection (3) may, with leave of the sheriff principal, appeal by stated case to the Court of Session against the sheriff principal's decision in an appeal under subsection (1).
- (3) The persons are—
 - (a) the individual in question,
 - (b) the child,
 - (c) a relevant person in relation to the child,
 - (d) two or more persons mentioned in paragraphs (a) to (c) acting jointly.
- (4) An appeal under this section must be made before the expiry of the period of [F156 days] beginning with the day on which the decision appealed against is made.
- (5) An appeal under this section may be made—
 - (a) on a point of law, or
 - (b) in respect of any procedural irregularity.
- (6) On deciding an appeal under subsection (1), the sheriff principal or the Court of Session must remit the case to the sheriff for disposal in accordance with such directions as the court may give.
- (7) A decision in an appeal under subsection (1) or (2) by the Court of Session is final.

Status: Point in time view as at 07/04/2020. This version of this provision has been superseded.

Changes to legislation: Children's Hearings (Scotland) Act 2011, Section 164 is up to date with all changes known to be in force on or before 27 May 2023. 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)

Textual Amendments

- F1** Words in s. 164(4) substituted (temp.) (7.4.2020) by virtue of [Coronavirus \(Scotland\) Act 2020 \(asp 7\)](#), s. 17(1), [sch. 3 para. 7\(7\)](#) (with [ss. 11-13](#), [sch. 3 para. 7\(15\)](#)) (which affecting provision expires (30.9.2021 at the end of the day) by virtue of [Coronavirus \(Extension and Expiry\) \(Scotland\) Act 2021 \(asp 19\)](#), [ss. 2\(1\)\(3\)](#), [11\(2\)](#) (with [sch. para. 1](#)))

Commencement Information

- I1** S. 164 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

Status:

Point in time view as at 07/04/2020. This version of this provision has been superseded.

Changes to legislation:

Children's Hearings (Scotland) Act 2011, Section 164 is up to date with all changes known to be in force on or before 27 May 2023. 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.