



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 5 **S**

CHILD ASSESSMENT AND CHILD PROTECTION ORDERS

Variation or termination of order by sheriff

48 Application for variation or termination **S**

- (1) An application may be made by any of the following persons to the sheriff to vary a child protection order—
 - (a) the child in respect of whom the order is made,
 - (b) a relevant person in relation to the child,
 - (c) a person not falling within paragraph (b) who has (or recently had) a significant involvement in the upbringing of the child,
 - (d) the person who applied for the child protection order,
 - (e) the person specified in the child protection order under section 37(2)(a),
 - (f) the Principal Reporter,
 - (g) any other person prescribed by rules of court.
- (2) An application may be made by any of the persons mentioned in subsection (1)(a) to (g) (other than the Principal Reporter) to the sheriff to terminate a child protection order.
- (3) An application under this section may be made only—
 - (a) before the commencement of a children's hearing arranged under section 45 or 46, or
 - (b) if the children's hearing arranged under section 45 or 46 continues the child protection order (with or without variation), within 2 working days after the day on which the child protection order is continued.

Commencement Information

II S. 48 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

Changes to legislation:

Children's Hearings (Scotland) Act 2011, Section 48 is up to date with all changes known to be in force on or before 13 September 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.

[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):

- Pt. 17A inserted by [2020 asp 16 s. 6\(2\)](#)
- s. 25(3) inserted by [2020 asp 16 s. 30\(7\)](#)
- s. 27(3)-(4A) substituted for s. 27(3)(4) by [2020 asp 16 s. 3\(2\)](#)
- s. 62(5)(q)-(u) inserted by [2020 asp 9 s. 8\(2\)\(b\)](#)
- s. 163(2)-(2B) substituted for s. 163(2) by [2020 asp 16 s. 27\(3\)\(b\)](#)
- s. 164(2)-(2B) substituted for s. 164(2) by [2020 asp 16 s. 27\(4\)\(b\)](#)
- s. 165(2)-(2B) substituted for s. 165(2) by [2020 asp 16 s. 27\(5\)\(b\)](#)