



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 6

INVESTIGATION AND REFERRAL TO CHILDREN'S HEARING

Provision of information to Principal Reporter

62 Provision of information by court

- (1) This section applies where, in the course of relevant proceedings, a court considers that a section 67 ground (other than the ground mentioned in section 67(2)(j)) might apply in relation to a child.
- (2) The court may refer the matter to the Principal Reporter.
- (3) If the court refers the matter under subsection (2) it must give the Principal Reporter a section 62 statement.
- (4) A section 62 statement is a statement—
 - (a) specifying which of the section 67 grounds the court considers might apply in relation to the child,
 - (b) setting out the reasons why the court considers that the ground might apply, and
 - (c) setting out any other information about the child which appears to the court to be relevant.
- (5) In this section “relevant proceedings” means—
 - (a) an action for divorce,
 - (b) an action for separation,
 - (c) an action for declarator of marriage,
 - (d) an action for declarator of nullity of marriage,
 - (e) an action for dissolution of a civil partnership,
 - (f) an action for separation of civil partners,
 - (g) an action for declarator of nullity of a civil partnership,
 - (h) an action for declarator of parentage,
 - (i) an action for declarator of non-parentage,

Status: This is the original version (as it was originally enacted).

- (j) proceedings relating to parental responsibilities or parental rights,
- (k) an application for an adoption order (as defined in section 28(1) of the Adoption and Children (Scotland) Act 2007 (asp 4)),
- (l) an application for the making, variation or revocation of a permanence order (as defined in section 80(2) of the Adoption and Children (Scotland) Act 2007) in respect of a child who is not subject to a compulsory supervision order, or
- (m) proceedings relating to an offence under any of the following sections of the Education (Scotland) Act 1980 (c.44)—
 - (i) section 35 (failure by parent to secure regular attendance by child at a public school),
 - (ii) section 41 (failure to comply with attendance order),
 - (iii) section 42(3) (failure to permit examination of child).