



Age of Criminal Responsibility (Scotland) Act 2019

2019 asp 7

PART 4

POLICE INVESTIGATORY AND OTHER POWERS

CHAPTER 2

SEARCH OF CHILDREN UNDER 12

Search under order

35 Consideration of application for order under section 36

- (1) This section applies where a constable makes an application under section 34 in respect of a child.
- (2) The sheriff may determine the application in court or in chambers after such enquiry or hearing (if any) as the sheriff considers appropriate.
- (3) Before determining the application, the sheriff must consider whether any of the following persons should be given an opportunity to make representations—
 - (a) the applicant,
 - (b) the child in respect of whom the application is made,
 - (c) a parent of the child,
 - (d) any other person the sheriff considers to have an interest in the application.