

CORONAVIRUS (SCOTLAND) ACT 2020

EXPLANATORY NOTES

DETAIL ABOUT PROVISIONS

Schedule 3 - Children and vulnerable adults

Part 1 - Children

Modification of certain time limits for making and determination of appeals etc.

76. There are specified time limits for the lodging of court applications and for the making of and disposal of appeals under the 2011 Act and associated enactments.
- The time limit for making an appeal under section 154(5) of the 2011 Act is 21 days.
 - The time limit for making an appeal under section 160(6)(a) of the 2011 Act is 7 days.
 - The time limit for making an appeal under section 161(6)(a) of the 2011 Act is 21 days.
 - The time limit for making an appeal under section 163(8), 164(4) and 165(4) of the 2011 Act is 28 days.
 - The time limit for disposal of appeals under sections 157(2), 160(6)(b) and 161(6)(b) of the 2011 Act is 3 days.
 - The time limit for making an application under section 93(2)(a) or 94(2)(a) of the 2011 Act to the sheriff under rule 3.45(1) of the Act of Sederunt (Child Care and Maintenance Rules) 1997 is 7 days.
 - The time limit for disposal of appeals under regulation 11A(2)(b) of the Secure Accommodation (Scotland) Regulations 2013 is 3 days.
 - The time limit for making an appeal against a decision of the chief social worker under regulation 11(2)(a) of the Children's Hearings (Scotland) Act 2011 (Implementation of Secure Accommodation Authorisation) (Scotland) Regulations 2013 is 21 days.
 - The time limit for determining an appeal against a decision of the chief social worker under regulation 11(2)(b) of the Children's Hearings (Scotland) Act 2011 (Implementation of Secure Accommodation Authorisation) (Scotland) Regulations 2013 is 3 days.
77. Paragraph 7 of schedule 3 modifies the time limits for the making, disposal or determination of appeals or the making or lodging of applications to extend them as follows:
- In relation to making an appeal under section 154(5) of the 2011 Act, 42 days.
 - In relation to making an appeal under section 160(6)(a) of the 2011 Act, 21 days.

*These notes relate to the Coronavirus (Scotland) Act
2020 (asp 7) which received Royal Assent on 6 April 2020*

- In relation to making an appeal under section 161(6)(a) of the 2011 Act, 42 days.
 - In relation to making an appeal under section 163(8), 164(4) and 165(4) of the 2011 Act, 56 days.
 - In relation to disposal of appeals under sections 157(2), 160(6)(b) and 161(6)(b) of the 2011 Act, 7 days.
 - In relation to lodging an application under section 93(2)(a) or 94(2)(a) of the 2011 Act is 14 days.
 - In relation to the disposal of appeals under regulation 11A(2)(b) of the Secure Accommodation (Scotland) Regulations 2013, 7 days.
 - In relation to making an appeal against a decision of the chief social worker under regulation 11(2)(a) of the Children's Hearings (Scotland) Act 2011 (Implementation of Secure Accommodation Authorisation) (Scotland) Regulations 2013, 42 days.
 - In relation to determining an appeal against a decision of the chief social worker under regulation 11(2)(b) of the Children's Hearings (Scotland) Act 2011 (Implementation of Secure Accommodation Authorisation) (Scotland) Regulations 2013, 7 days.
78. Paragraph 7(7) provides that the above modifications do not apply in relation to appeals against decisions or determinations made before the day on which paragraph 7 comes into force.