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**Changes to legislation:** There are currently no known outstanding effects for the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, Paragraph 3. (See end of Document for details)

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## SCHEDULE THE UNCRC REQUIREMENTS

### PART 1

#### RIGHTS AND OBLIGATIONS FROM THE CONVENTION

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##### Commencement Information

- II** [Sch. Pt. 1](#) comes into force in accordance with s. 47(2)

#### *Article 40*

- 3 States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and, in particular:
- (a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;
  - (b) Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected.

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