

*Status: This version of this provision is prospective.*

*Changes to legislation: United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, Section 3 is up to date with all changes known to be in force on or before 01 March 2024. 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. (See end of Document for details) View outstanding changes*



# United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 2024 asp 1

## PART 1

### THE UNCRC REQUIREMENTS

*Meaning of “the UNCRC requirements” and related expressions*

PROSPECTIVE

#### **3 Power to modify the schedule**

- (1) The Scottish Ministers may by regulations modify the schedule as they consider appropriate to—
  - (a) take account of an optional protocol to the Convention,
  - (b) take account of an amendment to the Convention or to an optional protocol to the Convention,
  - (c) add provisions of the Convention, the first optional protocol or the second optional protocol that are not for the time being set out in the schedule.
- (2) Regulations may be made under subsection (1)(a) only if the protocol is one which the United Kingdom has ratified.
- (3) Regulations may be made under subsection (1)(b) only if the amendment is one which is binding on the United Kingdom.
- (4) No modification may be made by regulations under subsection (1)(a) or (b) so as to come into force before the protocol or amendment has entered into force in relation to the United Kingdom.
- (5) Regulations under subsection (1) may make such consequential modification to sections 1, 4, 15 and 42 as the Scottish Ministers consider appropriate.

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- (6) Before laying a draft of a Scottish statutory instrument containing regulations under subsection (1) before the Scottish Parliament, the Scottish Ministers must consult—
- (a) the Commissioner for Children and Young People in Scotland,
  - (b) the Scottish Commission for Human Rights, and
  - (c) such other persons as they consider appropriate.
- (7) Regulations under subsection (1) are subject to the affirmative procedure.

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**Commencement Information**

- II** S. 3 comes into force in accordance with s. 47(2)

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**Changes and effects yet to be applied to :**

- s. 3 coming into force by [2024 asp 1 s. 47\(2\)](#)