



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 10

PROCEEDINGS BEFORE SHERIFF

Application for extension or variation of interim compulsory supervision order

98 Application for extension or variation of interim compulsory supervision order

- (1) This section applies where—
- (a) a child is subject to an interim compulsory supervision order (“the current order”), and
 - (b) [^{F1}either—
 - (i) the current order is made under section 93(5) and] by virtue of section 96(4) a children's hearing would be unable to make a further interim compulsory supervision order^{F2}, or
 - (ii) the current order is made under section 100(2).]
- (2) The Principal Reporter may, before the expiry of the current order, apply to the sheriff for an extension of the order.
- (3) The Principal Reporter may, at the same time as applying for an extension of the current order, apply to the sheriff for the order to be varied.
- (4) The current order may be extended, or extended and varied, only if the sheriff is satisfied that the nature of the child's circumstances is such that for the protection, guidance, treatment or control of the child it is necessary that the current order be extended or extended and varied.

Textual Amendments

- F1** S. 98(1)(b)(i) and word inserted (24.6.2013) by [The Children's Hearings \(Scotland\) Act 2011 \(Modification of Primary Legislation\) Order 2013 \(S.S.I. 2013/211\)](#), art. 1, **Sch. 1 para. 20(10)(a)**
- F2** S. 98(1)(b)(ii) and word inserted (24.6.2013) by [The Children's Hearings \(Scotland\) Act 2011 \(Modification of Primary Legislation\) Order 2013 \(S.S.I. 2013/211\)](#), art. 1, **Sch. 1 para. 20(10)(b)**

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Children's Hearings (Scotland) Act 2011. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Commencement Information

I1 S. 98 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

99 Further extension or variation of interim compulsory supervision order

- (1) This section applies where an interim compulsory supervision order is—
 - (a) extended, or extended and varied, under section 98(4), or
 - (b) further extended, or further extended and varied, under subsection (4).
- (2) The Principal Reporter may, before the expiry of the order, apply to the sheriff for a further extension of the order.
- (3) The Principal Reporter may, at the same time as applying for a further extension of the order, apply to the sheriff for the order to be varied.
- (4) The sheriff may further extend, or further extend and vary, the order if the sheriff is satisfied that the nature of the child's circumstances is such that for the protection, guidance, treatment or control of the child it is necessary that the order be further extended or, as the case may be, further extended and varied.

Commencement Information

I2 S. 99 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 17A inserted by [2020 asp 16 s. 6\(2\)](#)
- s. 25(3) inserted by [2020 asp 16 s. 30\(7\)](#)
- s. 27(3)-(4A) substituted for s. 27(3)(4) by [2020 asp 16 s. 3\(2\)](#)
- s. 62(5)(q)-(u) inserted by [2020 asp 9 s. 8\(2\)\(b\)](#)
- s. 91(3A) inserted by [2019 asp 7 s. 77\(2\)](#)
- s. 119(3A) inserted by [2019 asp 7 s. 77\(3\)](#)
- s. 138(3A) inserted by [2019 asp 7 s. 77\(4\)](#)
- s. 163(2)-(2B) substituted for s. 163(2) by [2020 asp 16 s. 27\(3\)\(b\)](#)
- s. 164(2)-(2B) substituted for s. 164(2) by [2020 asp 16 s. 27\(4\)\(b\)](#)
- s. 165(2)-(2B) substituted for s. 165(2) by [2020 asp 16 s. 27\(5\)\(b\)](#)