

SCHEDULE

(introduced by section 9)

TRANSITIONAL AND SAVING PROVISIONS

Children

- 1 (1) Despite sections 2(3) and 8(1), section 4 of the Coronavirus (Scotland) Act 2020 and the provisions of that Act referred to in sub-paragraphs (2) to (6) continue in effect as described in those sub-paragraphs.
- (2) In paragraph 2 of schedule 3, sub-paragraphs (1) to (6) continue in effect in relation to a child protection order made before the end of 30 September 2021.
- (3) Paragraph 3 of schedule 3 continues in effect in relation to a compulsory supervision order if, at the end of 30 September 2021, the order has effect by virtue of section 83(7A) of the Children’s Hearings (Scotland) Act 2011.
- (4) Paragraph 4 of schedule 3 continues in effect in relation to—
- (a) an interim compulsory supervision order made before the end of 30 September 2021 (but not in relation to the extension, or extension and variation, of such an order where the extension, or extension and variation, is made after 30 September 2021), and
 - (b) an interim variation of compulsory supervision order made before the end of 30 September 2021, but
- where a sheriff specifies a period of days in accordance with section 86(3)(d)(ii), 86(3)(e)(ii) or 140(4)(d)(ii) of the Children’s Hearings (Scotland) Act 2011 and that period expires after 12 November 2021, the period is to be treated as expiring at the end of 12 November 2021.
- (5) In paragraph 7 of schedule 3, sub-paragraphs (1) to (8) and (11) to (14) continue in effect in relation to the appeal of a decision or determination where the decision or determination in question is made before the end of 30 September 2021.
- (6) In paragraph 10 of schedule 3, sub-paragraphs (1) to (5) continue in effect in relation to a child where, at the end of 30 September 2021—
- (a) the child is in a placement with a foster carer where the placement of the child by the local authority has resulted in more than three children (who are not all siblings of each other) being placed with that foster carer at any one time, and
 - (b) the child is not the subject of an emergency or short-term placement with a foster carer as mentioned in regulation 27A(2)(b) of the Looked After Children (Scotland) Regulations 2009 ([S.S.I. 2009/210](#)).
- (7) Where by virtue of sub-paragraph (6), sub-paragraphs (1) to (5) of paragraph 10 of schedule 3 continue in effect in relation to a child, regulation 27B(2) to (7) of the Looked After Children (Scotland) Regulations 2009 is to be treated as applying in relation to the child.
- (8) In that application—
- (a) the reference in regulation 27B(2) to the date on which A is placed with the foster carer is to be read as a reference to 30 September 2021, and
 - (b) the references in regulation 27B(4) and (5) to A are to be read as references to the child.

Status: This is the original version (as it was originally enacted).

Freedom of information: Commissioner's ability to take account of impact of coronavirus

- 2 Despite section 2(6)(a), paragraph 6 of schedule 6 of the Coronavirus (Scotland) Act 2020 continues in effect in relation to a request made under section 1(1) of the Freedom of Information (Scotland) Act 2002 before the end of 30 September 2021.