



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

## PART 3

### CHILDREN'S RIGHTS SCHEME, CHILD RIGHTS AND WELLBEING IMPACT ASSESSMENTS AND REPORTING DUTIES

PROSPECTIVE

#### *Child rights and wellbeing impact assessments*

#### **17 Child rights and wellbeing impact assessments**

- (1) A child rights and wellbeing impact assessment is an assessment of the likely effects (if any) of a legislative provision on, or decision of a strategic nature relating to, the rights and wellbeing of children.
- (2) The Scottish Ministers must prepare and publish a child rights and wellbeing impact assessment in relation to the following legislative provisions—
  - (a) a Bill for an Act of the Scottish Parliament that the Scottish Ministers intend to introduce in the Scottish Parliament,
  - (b) a Scottish statutory instrument made by the Scottish Ministers other than one which brings a provision of an Act of the Scottish Parliament or an Act of Parliament into force.
- (3) The Scottish Ministers must prepare and publish a child rights and wellbeing impact assessment in relation to decisions of a strategic nature relating to the rights and wellbeing of children as required by, and in accordance with, the arrangements set out in the Scheme.
- (4) Without prejudice to the generality of [subsection \(3\)](#), the Scottish Ministers must prepare and publish a child rights and wellbeing impact assessment in relation to—

*Status:* This version of this cross heading contains provisions that are prospective.

*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, Cross Heading: Child rights and wellbeing impact assessments. (See end of Document for details)

- (a) any decision by the Scottish Ministers to restrict, for a reason relating to coronavirus, the delivery in person of education provision to children at schools,
  - (b) any strategy, policy or criteria of the Scottish Ministers that is to be applied by an education authority in making a decision temporarily to remove or restrict the delivery in person of education provision to children at schools under the education authority’s management, regardless of the reason for the decision.
- (5) For the purposes of [subsection \(4\)](#)—
- “coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2),
  - a reference to the “delivery in person” of education is a reference to a child’s attendance in person at the child’s usual school,
  - “school” has the meaning given by section 135(1) of the Education (Scotland) Act 1980.

#### Commencement Information

- II** S. 17 comes into force in accordance with s. 47(2)

**Status:**

This version of this cross heading contains provisions that are prospective.

**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, Cross Heading: Child rights and wellbeing impact assessments.