
STATUTORY INSTRUMENTS

1997 No. 691 (S.51)

CHILDREN AND YOUNG PERSONS

The Children (Scotland) Act 1995 etc. (Revocations and Savings) (Scotland) Regulations 1997

<i>Made</i>	- - - -	<i>7th March 1997</i>
<i>Laid before Parliament</i>		<i>11th March 1997</i>
<i>Coming into force</i>	- -	<i>1st April 1997</i>

The Secretary of State, in exercise of the powers conferred on him by sections 5(2), (3) and (4) and 60(1) of the Social Work (Scotland) Act 1968(1), sections 3(1A), 9, 27(2) and 51A of the Adoption (Scotland) Act 1978(2), sections 17, 31, 38(2), 44(5), 62, 75, 103(2) of the Children (Scotland) Act 1995(3) and section 44(5) of the Criminal Procedure (Scotland) Act 1995(4), and all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and revocations

1.—(1) These Regulations may be cited as the Children (Scotland) Act 1995 etc. (Revocations and Savings) (Scotland) Regulations 1997 and shall come into force on 1st April 1997.

(2) The regulations listed in the Schedule shall be revoked on the coming into force of these Regulations.

Savings

2. Approval of accommodation in residential establishments as secure accommodation granted by the Secretary of State prior to 1st April 1997 in terms of regulation 3 of the Secure Accommodation (Scotland) Regulations 1983(5) and in force immediately prior to 1st April 1997

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- (1) 1968 c. 49; section 5(2) was substituted by the Children Act 1975 (c. 72), Schedule 3, paragraph 49, and amended by the Adoption (Scotland) Act 1978 (c. 28), Schedule 3, paragraph 9 and the Children Act 1989 (c. 41), Schedule 13, paragraph 19; subsections (3) and (4) of section 5 were substituted by the Children (Scotland) Act 1995 (c. 36), Schedule 4, paragraph 15(4) (d); section 60(1) was amended by the National Health Service (Scotland) Act 1978 (c. 29), Schedule 16, paragraph 29(1) and the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), section 8(3).
- (2) 1978 c. 28; section 3(1A) of the 1978 Act substituted by section 94 (brought into force for regulation making purposes by the Children (Scotland) Act 1995 Commencement No. 3 Order 1996 S.I. 1996/3201) of the Children (Scotland) Act 1995 (c. 36) (“the 1995 Act”); in section 9 subsection (2) was amended by paragraph 5(a) and subsection (3A) was inserted by paragraph 5(b) of Schedule 2 to the 1995 Act; section 27(2) was substituted by paragraph 19 of Schedule 2 to the 1995 Act; section 51A was inserted by paragraph 25 of Schedule 2 to that Act.
- (3) 1995 c. 36.
- (4) 1995 c. 46.
- (5) S.I. 1983/1912 as amended by S.I. 1988/841.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

shall after that date continue in force as if made under regulation 3 of the Secure Accommodation (Scotland) Regulations 1996⁽⁶⁾ and shall be subject to those regulations.

3. Approval of a person as a foster parent given under regulation 7 of the Boarding-out and Fostering of Children (Scotland) Regulations 1985⁽⁷⁾ by a care authority prior to 1st April 1997 and in force immediately prior to 1st April 1997 shall for the year after that date continue in force as if the approval were made by a local authority of a foster carer under regulation 7 of the Fostering of Children (Scotland) Regulations 1996⁽⁸⁾ and shall be subject to those regulations.

St Andrew's House,
Edinburgh
7th March 1997

James Douglas-Hamilton
Minister of State, Scottish Office

⁽⁶⁾ S.I. 1996/3255.
⁽⁷⁾ S.I. 1985/1799.
⁽⁸⁾ S.I. 1996/3263.

SCHEDULE

Regulation 1(2)

<i>Regulations revoked</i>	<i>References</i>	<i>Extent of the revocation</i>
The Secure Accommodation (Scotland) Regulations 1983	S.I. 1983/1912	The whole Regulations
The Secure Accommodation (Scotland) Amendment Regulations 1988	S.I. 1988/841	The whole Regulations
The Adoption Agencies (Scotland) Regulations 1984	S.I. 1984/988	The whole Regulations
The Boarding Out and Fostering of Children (Scotland) Regulations 1985	S.I. 1985/1799	The whole Regulations
The Social Work (Residential Establishments—Child Care) (Scotland) Regulations 1987	S.I. 1987/2233	The whole Regulations
The Residential Care Order (Secure Accommodation) (Scotland) Regulations 1988	S.I. 1988/294	The whole Regulations
The Social Work (Residential Establishments—Child Care) (Scotland) Regulations 1988	S.I. 1988/1091	The whole Regulations
The Residential Care Order (Secure Accommodation) (Scotland) Amendment Regulations 1988	S.I. 1988/1092	The whole Regulations

EXPLANATORY NOTE*(This note is not part of the Order)*

These Regulations revoke the regulations listed in the Schedule. Article 2 keeps in force approval of accommodation in residential establishments as secure accommodation given under the Secure Accommodation (Scotland) Regulations 1983 after the revocation of those regulations. Article 3 keeps in force approval of a person as a foster parent given under the Boarding-out and Fostering of Children (Scotland) Regulations 1985 after the revocation of those regulations.