
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2013 No.

**The Children's Hearings (Scotland) Act 2011 (Rules
of Procedure in Children's Hearings) Rules 2013**

PART 1

Introductory and General

Citation, commencement and application

1.—(1) These Rules may be cited as the Children's Hearings (Scotland) Act 2011 (Rules of Procedure in Children's Hearings) Rules 2013 and come into force on the same day as section 177 (children's hearings: procedural rules) of the Act.

(2) These Rules shall only apply to proceedings commenced on or after the day on which they come into force.

Interpretation

2.—(1) In these Rules—

“the Act” means the Children's Hearings (Scotland) Act 2011;

“chairing member” means the member of the Children's Panel selected to chair a pre-hearing panel or children's hearing, as the case may be;

“a contact direction” has the same meaning as in section 126(1) (review of contact direction) of the Act;

“National Convener” means the National Convener of Children's Hearings Scotland;

“member of the pre-hearing panel” and “member of the children's hearing” means a member of the Children's Panel selected under section 6 (selection of members of children's hearing) of the Act, in relation to that hearing or pre-hearing, and “member” is to be construed accordingly;

“relevant person” means a relevant person in relation to a child and includes a person deemed to be a relevant person under section 81 (determination of claim that person be deemed a relevant person) or section 160(4)(b) (appeal to sheriff against relevant person determination) of the Act;

“Reporter” means the Principal Reporter or any person carrying out a function on behalf of the Principal Reporter by virtue of paragraph 10(1) (delegation of Principal Reporter's functions) of schedule 3 to the Act;

“section 62 statement” has the same meaning as in section 62(4) (provision of information by court) of the Act.

(2) For the purposes of rule 1(2) of these Rules, proceedings are commenced on the date when any of the following occurs—

(a) a children's hearing is arranged by the Reporter under section 69(2) of the Act;

(b) an application is made under Part 5 of the Act; or

(c) an appeal is made under Part 15 of the Act.