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SCOTTISH STATUTORY INSTRUMENTS

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**2013 No. 194**

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

**PART 11**

Arranging other children's hearings

**Arranging a children's hearing under section 50 (children's hearing to provide advice to sheriff in relation to application) of the Act**

**40.**—(1) Where a hearing is to be arranged under section 50 of the Act, as soon as practicable after determining to arrange the hearing the Reporter must notify the persons mentioned in paragraph (2) of the date, time and place of the children's hearing.

(2) Those persons are—

- (a) the child;
- (b) each relevant person;
- (c) any individual other than a relevant person who appears to the Reporter to have or recently have had significant involvement in the upbringing of the child;
- (d) the person who applied for the child protection order, or child assessment order, as the case may be;
- (e) the person who applied for the child protection order to be varied or terminated;
- (f) the person specified in the child protection order under section 37(2)(a) (child protection orders) of the Act;
- (g) any other person, to whom the applicant for variation or termination of a child protection order is required to give notice of the making of the application, prescribed by rules of court for the purposes of section 48 (application for variation or termination) or 49 (notice of application for variation or termination) of the Act;
- (h) the three members of the children's hearing;
- (i) any appointed safeguarder;
- (j) the chief social work officer of the relevant local authority for the child;
- (k) the National Convener.

(3) As soon as practicable before the beginning of the hearing, the Reporter must give to the persons mentioned in paragraph (2)(a) to (j) such of the information mentioned in paragraph (4) as is available.

(4) That information is—

- (a) a copy of the child protection order;
- (b) a copy of the application for the child protection order or child assessment order, as the case may be;

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**Changes to legislation:** There are currently no known outstanding effects for the *The Children's Hearings (Scotland) Act 2011 (Rules of Procedure in Children's Hearings) Rules 2013, Section 40.* (See end of Document for details)

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- (c) a copy of the application under section 48 of the Act for the variation or termination of the child protection order;
- (d) any other relevant document or information.

**Changes to legislation:**

There are currently no known outstanding effects for the The Children's Hearings (Scotland) Act 2011 (Rules of Procedure in Children's Hearings) Rules 2013, Section 40.