

Changes to legislation: Social Work (Scotland) Act 1968, SCHEDULE 9 is up to date with all changes known to be in force on or before 16 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 9

Section 95(2).

ENACTMENTS REPEALED

Modifications etc. (not altering text)

- C1** The text of ss. 2(4), 3(9), 14(4), 27(7), 95(2), Sch. 2 Pt. II paras. 7, 18, Sch. 8 paras. 6, 7(1)(3), 8–16, 32–34, 37–43, 60, 68, 73, Sch. 9 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

PART I

REPEALS EXTENDING TO SCOTLAND ONLY

Session and Chapter	Short Title	Extent of Repeal
1 Edw. 8 & 1 Geo. 6. c. 37.	The Children and Young Persons (Scotland) Act 1937.	<p>In section 21(2), the words from “may take” to the end of the subsection.</p> <p>In section 42(1), the words “or is for any other reason brought before a court” and in subsection (2), the words “or taken to a place of safety” and the words “or the person by whom he is taken to the place of safety, as the case may be”.</p> <p>In section 47(1) the words “until he can be brought before a juvenile court”, wherever occurring.</p> <p>In section 49(1), the words “either as being in need of care or protection or”, the words “or otherwise”, and the words “and for securing that proper provision is made for his education and training”.</p> <p>Section 49(2).</p>

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1 Edw. 8 & 1 Geo. 6. c. 37.— The Children and Young
 cont. Persons (Scotland) Act 1937
 —cont.

11 & 12 Geo. 6. c. 29. The National Assistance Act
 1948.

Section 51.

Section 53(2) and (3).

Section 59(1) and in
 subsection (4), the words
 “under this section, or”.

Sections 60 and 61.

In section 63(3) the words
 “under the Probation of
 Offenders Act 1907”.

Sections 65 and 66.

Sections 68 to 86.

Sections 88 to 98.

Section 101(5) and (6).

Section 106.

Section 107(1)(a), and (2).

Section 109.

In section 110(1)—
 the following definitions—

“Approved school”;
 “Approved school order”;
 “Headmaster”; “In need of
 care or protection”;

in the definition of “Justice”
 the words “(except in
 section 51 of this Act)”; and
 the definition of “managers”.

In section 110, in
 subsection (3)(a)(ii) the
 words “and the juvenile
 court for any area” and
 subsection (3)(a)(iv).

Section 111.

Section 112.

Schedule 2.

Schedule 3.

Section 21.

Section 22(1).

Sections 23 and 24.

Section 26(1) and (5).

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		Section 27.
		Sections 29 and 30.
		Section 32.
		Sections 34 to 40.
		Section 50(3).
		Section 58(1) and (4).
11 & 12 Geo. 6. c. 43.	The Children Act 1948.	The whole Act.
12, 13 & 14 Geo. 6. c. 94.	The Criminal Justice (Scotland) Act 1949.	Section 2(3) and (9).
		Section 4(2) and (3).
		Section 5(3).
		In section 7, in subsection (2), the words from “to omit” to “and”, and in subsection (4), the words to “to (3)”.
		Sections 11 to 13.
		In section 28, subsection (2), and in subsection (3), the words “a remand home or” and the words “home or”.
		Sections 50 and 51.
		Sections 69 to 73.
		In section 75, subsections (1) (a), (3)(a) to (d) and (4) to (6).
		In section 78, in subsection (1)— in the definition of “appropriate court” the words “or supervision”; and the words “or person under supervision”;
		and the following definitions — “Approved probation hostel” and “Approved probation home”; “approved school”; “Remand home”; “Salaried probation officer”;
		in the definition of “sentence”, the words from “an order for custody” to the end of the definition;

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		the following definitions— “Supervision Order”; “Voluntary probation officer”; “Whole-time probation officer”; and “Young Person”.
		Schedule 1.
		In Schedule 2, in paragraph 2, in sub-paragraph (3), the words “appointed by the appropriate court”, in sub-paragraph (4)(b), the words “named therein”, in paragraph 3(b) the words “an approved probation hostel or home or in” and the word “other” and paragraph 7.
		Schedule 3.
14 Geo. 6. c. 37.	The Maintenance Orders Act 1950.	Schedule 1, so far as relating to the modification of the Children and Young Persons (Scotland) Act 1937.
15 & 16 Geo. 6. & 1 Eliz. 2. c. 61.	The Prisons (Scotland) Act 1952.	Section 18(1) to (3A). In section 32, in subsection (3), the words “who is not less than seventeen years of age”, and subsection (4).
4 & 5 Eliz. 2. c. 24.	The Children and Young Persons Act 1956.	The whole Act.
4 & 5 Eliz. 2. c. 50.	The Family Allowances and National Insurance Act 1956.	The whole Act.
5 & 6 Eliz. 2. c. 1.	The Police, Fire and Probation Officers Remuneration Act 1956.	In section 11(2) and (3). In section 1(1)(d), the words from “or” to “1949”.
6 & 7 Eliz. 2. c. 40.	The Matrimonial Proceedings (Children) Act 1958.	Section 11(2) and (3). In section 12(1), the words “of a probation officer or”, and section 12(3).
6 & 7 Eliz. 2. c. 65.	The Children Act 1958.	Section 1.

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7 & 8 Eliz. 2. c. 5.	The Adoption Act 1958.	Section 2(6) and (7). Section 4(3)(b). In section 11(1), the words “or juvenile court”. In section 15(3), the words from “or the Children” to “1937”. In section 37(3), the words “in an approved school or”.
8 & 9 Eliz. 2. c. 61.	The Mental Health (Scotland) Act 1960.	In sections 8 and 9. In section 10, in subsection (1), in paragraph (a), head (i), and at the end of head (ii) the word “or”. Section 12(2), sections 19 to 21 and section 46(a). In section 55(10), the words from “including” to the word “school”. In section 57, in subsection (3)(b), the words “or young person”; and subsection (5). Section 69(1)(b). Section 71. In section 72, the definitions of “approved school” and “remand home” and in the definition of “place of safety” the words “or young person” first occurring. In section 111(1), the definition of “residential home for persons suffering from mental disorder;”.
10 & 11 Eliz. 2. c. 47.	The Education (Scotland) Act 1962.	Section 36(4) and (5). Section 44(3) and (4). Section 80(1)(e). In section 104 the words “(including an approved school)”.

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1963 c. 37.	The Children and Young Persons Act 1963.	Section 1. Sections 45 to 52. Section 58.
1963 c. 39.	The Criminal Justice (Scotland) Act 1963.	In section 11, in subsection (2), the words from “if the offender” to the words “detention centre”, and subsections (3) and (5). Section 15. Part II. Schedule 2.
1968 c. 46.	The Health Services and Public Health Act 1968.	Section 13. Section 44. Section 45.

PART II

REPEALS EXTENDING TO ENGLAND AND WALES

Session and Chapter	Short Title	Extent of Repeal
23 & 24 Geo. 5. c. 12.	The Children and Young Persons Act 1933.	In section 78(2) and (4), the words from “(including” to “1937”. In section 82(1), the words from “or” to “1937”, and in the proviso, the words from “or where” to “Wales”. In section 83(1), (2) and (4), the words “Scotland or” wherever occurring, and in subsection (5) the words from “in relation to Scotland” to “Department, and”. In section 85(1) and (2), the words “or under the Children and Young Persons (Scotland) Act 1937”. In Schedule 4, in paragraph 9, in sub-paragraph (1), the words from “or with the consent” to “to that Act”, paragraph 9(3), and in

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		paragraph 13, the words “or of the Children and Young Persons (Scotland) Act 1937” in both places where they occur.
6 & 7 Eliz. 2. c. 65.	The Children Act 1958.	In section 2(4), the words from “or of” to “1937”. In section 17, in the definition of “fit person order”, the words “or” to “1937”.
7 & 8 Eliz. 2. c. 72.	The Mental Health Act 1959.	In section 10(1), in subparagraph (a), head (ii). In section 50, subparagraph (b).
1963 c. 37.	The Children and Young Persons Act 1963.	In section 12, the words “Scotland or”. In section 45(1), the words “the Children and Young Persons (Scotland) Acts 1937 and 1956”. Sections 51 and 52. Section 53(1)(b).
1965 c. 53.	The Family Allowances Act 1965.	In section 11, subsection (1) (a)(ii), in subsection (1) (c), the words “or an order under section 73(2) of the said Act of 1937”, and in subsection (2), the words “or the said Act of 1937”.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 27(1)(za) inserted by [2023 asp 4 s. 1\(5\)](#)
- s. 29(3)(j) repealed by [2005 asp 3 Sch. 5 para. 1](#)
- s. 61B inserted by [2000 asp 4 s. 36](#) (This amendment not applied to [legislation.gov.uk](#). S. 36 repealed (1.4.2002) without ever being in force by 2001 asp 8, Sch. 4; S.S.I. 2002/162, art. 2 (with arts. 3-13))
- s. 62(3)(d) inserted by [2000 asp 4 s. 38\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 38 repealed (1.4.2002) without ever being in force by 2001 asp 8, Sch. 4; S.S.I. 2002/162, art. 2 (with arts. 3-13))
- s. 64A(1)(e) and word inserted by [2000 asp 4 Sch. 5 para. 10](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 5 para. 10 repealed (1.4.2002) without ever being in force by 2001 asp 8, Sch. 4; S.S.I. 2002/162, art. 2 (with arts. 3-13))
- s. 87A inserted by [2007 asp 10 s. 66](#)