



# Children Act 1975

## 1975 CHAPTER 72

### PART II

#### CUSTODY

##### *Custody in Scotland*

#### **52 Return of child taken away in breach of section 51.**

A court in which an application for [<sup>F1</sup>a residence order in relation to] a child is pending may—

- (a) on the application of a person from whose [<sup>F2</sup>care and possession] the child has been removed in breach of section 51, order the person who has so removed the child to return the child to the applicant;
- (b) on the application of a person who has reasonable grounds for believing that another person is intending to remove the child from the applicant's [<sup>F2</sup>care and possession] in breach of section 51, by order direct that other person not to remove the child from the applicant's [<sup>F2</sup>care and possession] in breach of that section.

#### **Textual Amendments**

**F1** Words in s. 52 substituted (1.11.1996) by 1995 c. 36, s. 105(4), **Sch. 4 para. 26(5)** (with s. 103(1)); S.I. 1996/2203, art. 3(3), **Sch.**

**F2** Words substituted by Health and Social Services and Social Security Adjudications Act 1983 (c. 41, SIF 113:3), s. 9, **Sch. 2 para. 26**

**Changes to legislation:**

There are currently no known outstanding effects for the Children Act 1975, Section 52.