



Foster Children (Scotland) Act 1984

1984 CHAPTER 56

Miscellaneous and supplementary

21 Interpretation.

(1) In this Act—

[^{F1} “ barred person ” has the meaning given by section 7(4);]

[^{F2} “ care home service ” has the meaning given by [^{F3} paragraph 2 of schedule 12 to the Public Services Reform (Scotland) Act 2010];]

“child” means a person under the age of 18;

“compulsory school age” means school age within the meaning of the ^{M1}Education (Scotland) Act 1980;

“local authority” means [^{F4} a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994];

“local authority in England or Wales” means the Council of a non-metropolitan county, metropolitan district or London borough, or the Common Council of the City of London;

“place of safety” [^{F5} has the meaning given by section [^{F6} 202(1) of the Children’s Hearings (Scotland) Act 2011 (asp 1)];]

“relative” in relation to a child, means a grandparent, brother, sister, uncle or aunt whether of the full blood or half blood or by affinity ^{F7}...;

“residential establishment” means

[^{F8}(a)]an establishment managed by a local authority, voluntary organisation or any other person which provides residential accommodation for the purposes of the ^{M2}Social Work (Scotland) Act 1968 [^{F9} or of Part II of the Children (Scotland) Act 1995] whether for reward or not [^{F10}; or

(b) a residential establishment as defined in section 202(1) of the Children’s Hearings (Scotland) Act 2011 (asp 1)];

^{F11}[“ supervision requirement ” has the meaning given by section 70(1) of the Children (Scotland) Act 1995;]

Changes to legislation: There are currently no known outstanding effects for the Foster Children (Scotland) Act 1984, Section 21. (See end of Document for details)

- (a) to submit to supervision in accordance with such conditions as they may impose; or
- (b) to reside in a residential establishment named in the requirement and be subject to such conditions as they may impose;

“voluntary organisation” means a body the activities of which are carried on otherwise than for profit.

- (2) In this Act, except insofar as the context otherwise requires,—
- (a) any reference to a numbered section or Schedule is a reference to the section of, or the Schedule to, this Act so numbered;
 - (b) a reference in a section to a numbered subsection is a reference to the subsections of that section so numbered;
 - (c) a reference in a section, subsection or Schedule to a numbered or lettered paragraph is a reference to the paragraph of that section, subsection or Schedule so numbered or lettered.

Textual Amendments

- F1** Words in s. 21 inserted (28.2.2011) by [Protection of Vulnerable Groups \(Scotland\) Act 2007 \(asp 14\), s. 101\(2\), Sch. 4 para. 12](#) (with ss. 90, 99); S.S.I. 2011/157, art. 2(a)
- F2** Definition of “care home service” in s. 21(1) inserted (1.4.2002) by 2001 asp 8, s. 79, [Sch. 3 para. 12\(3\)\(a\)](#); S.S.I. 2002/162, [art. 2\(f\)\(h\)](#) (subject to arts. 3-13)
- F3** Words in s. 21(1) substituted (1.4.2011) by [The Public Services Reform \(Scotland\) Act 2010 \(Consequential Modifications\) Order 2011 \(S.S.I. 2011/211\), art. 1, Sch. 1 para. 5\(b\)](#)
- F4** S. 21(1): words in definition of “local authority” substituted (1.4.1996) by 1994 c. 39, s. 180(1), [Sch. 13 para. 136](#); S.I. 1996/323, [art. 4\(1\)\(c\)](#)
- F5** Words in the definition of “place of safety” in s. 21(1) substituted (1.4.2002) by 2001 asp 8, s. 79, [Sch. 3 para. 12\(3\)\(b\)](#); S.S.I. 2002/162, [art. 2\(f\)\(h\)](#) (subject to arts. 3-13)
- F6** Words in s. 21(1) substituted (24.6.2013) by [The Children's Hearings \(Scotland\) Act 2011 \(Modification of Primary Legislation\) Order 2013 \(S.S.I. 2013/211\), art. 1, Sch. 1 para. 5\(4\)\(a\)](#)
- F7** Words in s. 21(1) repealed (30.6.2006) by [Family Law \(Scotland\) Act 2006 \(Consequential Modifications\) Order 2006 \(S.S.I. 2006/384\), arts. 1, 7](#)
- F8** Words in s. 21(1) inserted (24.6.2013) by [The Children's Hearings \(Scotland\) Act 2011 \(Modification of Primary Legislation\) Order 2013 \(S.S.I. 2013/211\), art. 1, Sch. 1 para. 5\(4\)\(b\)\(i\)](#)
- F9** S. 21(1): words in definition of “residential establishment” inserted (1.4.1997) by 1995 c. 36, s. 105(4), [Sch. 4 para. 35\(7\)\(a\)](#); S.I. 1996/3201, [art. 3\(7\)](#) (as amended by S.I. 1997/744, [arts. 2, 3](#))
- F10** Words in s. 21(1) inserted (24.6.2013) by [The Children's Hearings \(Scotland\) Act 2011 \(Modification of Primary Legislation\) Order 2013 \(S.S.I. 2013/211\), art. 1, Sch. 1 para. 5\(4\)\(b\)\(ii\)](#)
- F11** s. 21(1): definition of “supervision requirement” substituted (1.4.1997) by 1995 c. 36, s. 105(4), [Sch. 4 para. 35\(7\)\(b\)](#); S.I. 1996/3201, [art. 3\(7\)](#) (as amended by S.I. 1997/744, [arts. 2, 3](#))

Marginal Citations

- M1** 1980 c. 44.
- M2** 1968 c. 49.

Changes to legislation:

There are currently no known outstanding effects for the Foster Children (Scotland) Act 1984, Section 21.