
STATUTORY INSTRUMENTS

1997 No. 291

Act of Sederunt (Child Care and Maintenance Rules) 1997

CHAPTER 3

CHILDREN (SCOTLAND) ACT 1995

PART VII

PROCEDURE IN APPLICATIONS UNDER SECTION 65(7) OR (9) OF THE ACT

Abandonment of application

3.46.—(1) At any stage of the proceedings before the application is determined the Principal Reporter may abandon the application, either in whole or in part, by lodging a minute to that effect or by motion at the hearing.

(2) The Principal Reporter shall intimate such abandonment to—

- (a) the child, except where service on the child has been dispensed with in terms of rule 3.3;
- (b) any relevant person whose whereabouts are known to the Principal Reporter; and
- (c) any safeguarder appointed by the sheriff.

(3) In the event of abandonment in whole in terms of paragraph (1), the sheriff shall dismiss the application and discharge the referral.