SCOTTISH STATUTORY INSTRUMENTS

2025 No. 157 (C. 14)

CHILDREN AND YOUNG PERSONS

The Children (Scotland) Act 2020 (Commencement No. 3 and Saving Provision) Regulations 2025

Made - - - -	*20th May 2025*
Laid before the Scottish Parliament	*22nd May 2025*
Coming into force - -	*22nd June 2025*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 34 of the Children (Scotland) Act 2020(**a**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Children (Scotland) Act 2020 (Commencement No. 3 and Saving Provision) Regulations 2025 and come into force on 22 June 2025.

(2) In these Regulations "the Act" means the Children (Scotland) Act 2020.

Appointed days

2. 22 June 2025 is the day appointed for the coming into force of section 30 (delay in proceedings likely to prejudice child's welfare) of the Act except for subsection (2).

3. 21 September 2025 is the day appointed for the coming into force of section 1(1) and (2) (views of children in proceedings under Children (Scotland) Act 1995) of the Act.

Saving provision

4. The modifications made by section 1(2) of the Act have no effect in relation to a decision to which section 6(1) of the Children (Scotland) Act 1995(**b**) applies where, before 21 September 2025—

(a) the person reaching the decision obtained the views of the child concerned, or

(**a**) 2020 asp 16.
(**b**) 1995 c. 36.

(b) the child did not wish to express views.

SIOBHIAN BROWN
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
20th May 2025

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Children (Scotland) Act 2020 ("the Act") received Royal Assent on 1 October 2020. Sections 32, 33 and 35 came into force the following day.

Regulation 2 brings into force section 30(1) and (3) to (7) of the Act on 22 June 2025.

Section 30 amends provisions of the Children (Scotland) Act 1995 ("the 1995 Act"), the Adoption and Children (Scotland) Act 2007 ("the 2007 Act") and the Children's Hearings (Scotland) Act 2011 ("the 2011 Act"). The provisions as amended require a court, when considering a child's welfare, to consider whether any delay in proceedings would negatively affect the child's welfare. This can be as part of a decision by a court about an order under section 16 of the 1995 Act, in relation to adoption cases under section 14 of the 2007 Act, or for children's hearings or court proceedings under section 25 of the 2011 Act.

Regulation 3 brings into force section 1(1) and (2) of the Act on 21 September 2025.

Section 1(1) (proceedings under the Children (Scotland) Act 1995) introduces the amendments made by the rest of the section. Section 1(2) amends subsection (1) and inserts subsections (1A) to (1D) of section 6 of the 1995 Act. The provisions modify the requirements which apply when a person, in reaching any major decision which involves fulfilling a parental responsibility or exercising a parental right or giving consent, gives the child the opportunity to express the child's views.

Regulation 4 contains a saving provision so that a person reaching any major decision to which section 6(1) of the 1995 Act applies is not required to comply with the additional requirements introduced by section 1(2) of the Act, where the person has obtained the child's views, or the child did not wish to express views, before 21 September 2025.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

Provision	*Date of Commencement*	*S.S.I. No.*
Section 7(3) and (4)	25 October 2021	2021/339
Section 9 (partially)	25 October 2021	2021/339
Section 10(1) and (3)	25 October 2021	2021/339
Section 13	26 July 2021	2020/412
Section 14	26 July 2021	2020/412
Section 15	17 January 2021	2020/412
Section 17(1) and (3) (partially)	25 October 2021	2021/339

Section 23	17 January 2021	2020/412
Section 24	17 January 2021	2020/412
Section 25	26 July 2021	2020/412
Section 26	26 July 2021	2020/412

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