STATUTORY INSTRUMENTS

1986 No. 518 (S. 52)

CHILDREN AND YOUNG PERSONS

The Children's Hearings (Scotland) Amendment Rules 1986

Made - - - -	13*th March* 1986
Coming into Operation	1*st April* 1986

The Secretary of State, in exercise of the powers conferred on him by sections 35(4) and (5) and 44 of the Social Work (Scotland) Act 1968(**a**), and of all other powers enabling him in that behalf, and after consultation with the Council on Tribunals, hereby makes the following rules:-

Citation and commencement

1. These rules may be cited as the Children's Hearings (Scotland) Amendment Rules 1986 and shall come into operation on 1st April 1986.

Interpretation

2. In these rules the "principal rules" means the Children's Hearings (Scotland) Rules 1971(**b**).

Amendment of rule 17 of the principal rules (conduct of hearing)

3. In rule 17 after paragraph (3) there shall be inserted the following paragraph:-

"(3A) The children's hearing shall not dispose of the case by making a supervision requirement under section 44(1)*(a)* of the Act imposing a condition that the child is to reside in a place (which for the purposes of this rule is a household where he is to be under the care of a person who is not his parent or guardian) unless -

(i) they have received and considered a report for the purposes of paragraph (2)*(a)* above from the local authority, together with the local authority's recommendations, on the child's needs and the suitability to meet these needs of -

(a) the place in which the child is to reside by virtue of the supervision requirement, and

(b) the person who is to have care of the child, and

(ii) the local authority have confirmed that in compiling the report they have carried out the procedures and gathered the information described in

(**a**) 1968 c.49; section 35(5)*(a)* was amended by the Children Act 1975 (c.72), Schedule 3, paragraph 55.
(**b**) S.I. 1971/492, amended by S.I. 1983/1424, 1984/100, 1867, 1985/843, 1724.

regulation 20 of the Boarding-out and Fostering of Children (Scotland) Regulations 1985(**a**).".

John J. MacKay,
Parliamentary Under Secretary of State,
Scottish Office.

New St. Andrew's House,
Edinburgh.
13th March 1986.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These rules provide for further amendment to the Children's Hearings (Scotland) Rules 1971. They require a children's hearing to consider a report from the local authority before taking a final decision in the case of a child for whom a placement in a foster home is being considered.

(**a**) S.I. 1985/1799.

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