Draft Order laid before the Scottish Parliament under section 29(9) of the Children (Scotland) Act 1995 for approval by resolution of the Scottish Parliament.

D R A F T S C O T T I S H S T A T U T O R Y I N S T R U M E N T S

2015 No.

CHILDREN AND YOUNG PERSONS

The Aftercare (Eligible Needs) (Scotland) Order 2015

Made - - - -	*2015*
Coming into force - -	*1st April 2015*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 29(8) of the Children (Scotland) Act 1995(**a**) and all other powers enabling them to do so.

In accordance with section 29(9) of that Act(**b**) a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

Citation, commencement and interpretation

1. This Order may be cited as the Aftercare (Eligible Needs) (Scotland) Order 2015 and comes into force on 1st April 2015.

Aftercare: types of support constituting "eligible needs"

2. The following types of support are specified for the purposes of section 29(8) of the Children (Scotland) Act 1995(**c**):—

(a) financial support to meet essential accommodation and maintenance costs;

(b) support, in the form of information or advice, to assist the person to access education, training, employment, leisure and skills-related opportunities; and

(c) insofar as not covered by sub-paragraph (b), support, in the form of information or advice, relating to the person's wellbeing.

Name
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
Date

(**a**) 1995 c.36. Section 29(8) was inserted by section 66(2)(h) of the Children and Young People (Scotland) Act 2014 (asp 8) ("the 2014 Act"). Section 29 was previously amended by section 73(1) of the Regulation of Care (Scotland) Act 2001 (asp 8).

(**b**) Section 29(9) was inserted by section 66(2)(h) of the 2014 Act.

(**c**) Section 29(8) provides a definition of "eligible needs" for the purposes of section 29(5A)(a) of the Children (Scotland) Act 1995, which was inserted by section 66(2)(f) of the 2014 Act.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision in relation to the provision of aftercare to young people under section 29 of the Children (Scotland) Act 1995 ("the 1995 Act"). Section 66 of the Children and Young People (Scotland) Act 2014 makes a number of amendments to section 29 of the 1995 Act, so far as not already in force, and it will come into force on 1st April 2015 at the same time as this Order.

Article 2 specifies, for the purposes of section 29(8) of the 1995 Act, types of support which constitute "eligible needs". Section 29(8) contains a definition of "eligible needs" for the purposes of section 29(5A)(a) of the 1995 Act (i.e. a person has "eligible needs" if the person needs care, attention or support of such type as the Scottish Ministers may by order specify). Section 29(5A)(a) obliges a local authority to, if it is satisfied that a person assessed under section 29(5) has eligible needs which cannot be met other than by taking action under section 29(5A)(a), provide the person with such advice, guidance and assistance as it considers necessary for the purposes of meeting those needs.

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£4.25

S2015021924 02/2015 19585

http://www.legislation.gov.uk/id/sdsi/2015/9780111026601

ISBN 978-0-11-102660-1

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