

*These notes relate to the Regulation of Care (Scotland) Act  
2001 (asp 8) which received Royal Assent on 5 July 2001*

# REGULATION OF CARE (SCOTLAND) ACT 2001

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## EXPLANATORY NOTES

### THE ACT

#### *Commentary on sections*

#### **Part 6: Miscellaneous**

#### **Place of safety**

#### ***Section 74: Amendment of Children (Scotland) Act 1995: “place of safety”***

188. Section 57 of the Children (Scotland) Act 1995 includes a provision for sheriffs to make child protection orders for the emergency protection of children. A child protection order may among other things authorise the removal of the child to a “place of safety” which is defined in section 93(1) of the 1995 Act. In practice the interpretation of the definition has not always been straightforward, particularly in relation to private houses. Section 74 therefore amends the definition to remove possible doubt about what may constitute a place of safety so that children can be placed in the home of a relative, friend or foster carer as appropriate.