

# **ANTISOCIAL BEHAVIOUR ETC. (SCOTLAND) ACT 2004**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 9 – Parenting Orders**

##### ***Section 105 – Review of order***

234. **Section 105** sets out the arrangements for review of a parenting order. Subsection (1) provides that on application for a review the court may revoke the order or vary it by deleting or adding any requirement it contains. This power to vary also includes the power to amend the time during which a parent must undertake counselling or guidance, subject to the maximum period of 3 months set out in section 103.
235. Subsection (2) provides that the parent, the child or the local authority for the area in which the parent ordinarily resides (which will be the authority supervising the order) may apply for a review.
236. Subsection (3) provides that before making an application to vary or revoke a parenting order, the local authority shall consult the Principal Reporter.
237. Subsection (5) provides for the situation where a parent moves to another part of Scotland outwith the jurisdiction of the sheriff court which made the parenting order. In that situation, and if it is appropriate to do so, the court may specify another sheriff court as the court which will deal with applications for review or revocation of the order.