



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 5

CHILD ASSESSMENT AND CHILD PROTECTION ORDERS

Ancillary measures

40 Information non-disclosure directions

- (1) This section applies where the sheriff makes a child protection order in respect of a child.
- (2) The sheriff must consider whether to include an information non-disclosure direction in the order.
- (3) An information non-disclosure direction is a direction that—
 - (a) the location of any place of safety at which the child is being kept, and
 - (b) any other information specified in the direction relating to the child,must not be disclosed (directly or indirectly) to any person or class of person specified in the direction.
- (4) An information non-disclosure direction ceases to have effect when—
 - (a) it is terminated by a children's hearing under section 47(1)(a)(ii) or the sheriff under section 51(5)(b), or
 - (b) the child protection order in which it is included ceases to have effect.

Commencement Information

II S. 40 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

41 Contact directions

- (1) This section applies where the sheriff makes a child protection order in respect of a child.
- (2) The sheriff must consider whether to include a contact direction in the order.

Changes to legislation: Children's Hearings (Scotland) Act 2011, Cross Heading: Ancillary measures is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (3) A contact direction is a direction—
- (a) prohibiting contact between the child and a person mentioned in subsection (4),
 - (b) making contact between the child and such a person subject to any conditions which the sheriff considers appropriate to safeguard and promote the welfare of the child,
 - (c) making such other provision as the sheriff considers appropriate about contact between the child and such a person.
- (4) The persons are—
- (a) a parent of the child, person with parental responsibilities for the child or other person specified in the direction,
 - (b) a person falling within a class of person specified in the direction.
- (5) A contact direction ceases to have effect when—
- (a) it is terminated by a children's hearing under section 47(1)(a)(ii) or the sheriff under section 51(5)(b), or
 - (b) the child protection order in which it is included ceases to have effect.

Commencement Information

I2 S. 41 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

42 Parental responsibilities and rights directions

- (1) A person applying to the sheriff for a child protection order in respect of a child may, at the same time, apply to the sheriff for a parental responsibilities and rights direction.
- (2) A parental responsibilities and rights direction is a direction about the fulfilment of parental responsibilities or exercise of parental rights in relation to—
- (a) the treatment of the child arising out of any assessment authorised by the child protection order, or
 - (b) any other matter that the sheriff considers appropriate.
- (3) A parental responsibilities and rights direction ceases to have effect when—
- (a) it is terminated by a children's hearing under section 47(1)(a)(ii) or the sheriff under section 51(5)(b), or
 - (b) the child protection order in which it is included ceases to have effect.

Commencement Information

I3 S. 42 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

Changes to legislation:

Children's Hearings (Scotland) Act 2011, Cross Heading: Ancillary measures is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 17A inserted by [2020 asp 16 s. 6\(2\)](#)
- s. 25(3) inserted by [2020 asp 16 s. 30\(7\)](#)
- s. 27(3)-(4A) substituted for s. 27(3)(4) by [2020 asp 16 s. 3\(2\)](#)
- s. 62(5)(q)-(u) inserted by [2020 asp 9 s. 8\(2\)\(b\)](#)
- s. 163(2)-(2B) substituted for s. 163(2) by [2020 asp 16 s. 27\(3\)\(b\)](#)
- s. 164(2)-(2B) substituted for s. 164(2) by [2020 asp 16 s. 27\(4\)\(b\)](#)
- s. 165(2)-(2B) substituted for s. 165(2) by [2020 asp 16 s. 27\(5\)\(b\)](#)