

Changes to legislation: Children's Hearings (Scotland) Act 2011, Paragraph 13 is up to date with all changes known to be in force on or before 03 October 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

SCHEDULE 1 CHILDREN'S HEARINGS SCOTLAND

Transfer of members from CPACs

- 13 (1) This paragraph applies where
- [^{F1}(a)] the National Convener establishes an area support team under paragraph 12(1)[^{F2}, and
 - (b) the area of the area support team consists of or includes a new area.]
- (2) The National Convener must notify each relevant CPAC member of the National Convener's intention to transfer the member to the area support team.
- (3) A notice under sub-paragraph (2) must state that the relevant CPAC member will become a member of the area support team unless the member notifies the National Convener within 28 days of receiving the notice that the person does not wish to become a member of the area support team.
- (4) A relevant CPAC member is a person who—
- (a) at the time of the establishment of the area support team, is a member of a Children's Panel Advisory Committee whose area falls wholly within the [^{F3}new area concerned], and
 - (b) was nominated as such by the Scottish Ministers (or, as the case may be, by the Secretary of State) under paragraph 3 or 4(a) of Schedule 1 to the 1995 Act.
- (5) The National Convener must appoint each relevant CPAC member as a member of the area support team unless the member notifies the National Convener in accordance with sub-paragraph (3).
- (6) On appointment as a member of the area support team under sub-paragraph (5), a relevant CPAC member ceases to be a member of the Children's Panel Advisory Committee.
- (7) In this paragraph—
- “area”, in relation to a Children's Panel Advisory Committee, means the area of the local authority (or authorities) which formed the Children's Panel Advisory Committee,
 - “Children's Panel Advisory Committee” includes a joint advisory committee within the meaning of paragraph 8 of Schedule 1 to the 1995 Act.
- [^{F4}“new area” means an area which has never previously been the area (or part of the area) of an area support team.]

Textual Amendments

- F1** Words in Sch. 1 para. 13(1) renumbered as Sch. 1 para. 13(1)(a) (26.1.2015) by [Children and Young People \(Scotland\) Act 2014 \(asp 8\)](#), [ss. 88\(2\)\(b\)\(i\)](#), 102(3); S.S.I. 2014/353, art. 2(2)(3), Sch.
- F2** Sch. 1 para. 13(1)(b) and preceding word "and" inserted (26.1.2015) by [Children and Young People \(Scotland\) Act 2014 \(asp 8\)](#), [ss. 88\(2\)\(b\)\(ii\)](#), 102(3); S.S.I. 2014/353, art. 2(2)(3), Sch.
- F3** Words in Sch. 1 para. 13(4)(a) substituted (26.1.2015) by [Children and Young People \(Scotland\) Act 2014 \(asp 8\)](#), [ss. 88\(2\)\(b\)\(iii\)](#), 102(3); S.S.I. 2014/353, art. 2(2)(3), Sch.
- F4** Words in Sch. 1 para. 13(7) inserted (26.1.2015) by [Children and Young People \(Scotland\) Act 2014 \(asp 8\)](#), [ss. 88\(2\)\(b\)\(iv\)](#), 102(3); S.S.I. 2014/353, art. 2(2)(3), Sch.

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Commencement Information

- I1** Sch. 1 para. 13(1)-(4)(7) in force at 19.9.2012 by [S.S.I. 2012/246](#) , [art. 2](#) , [Sch.](#)
- I2** Sch. 1 para. 13(5)(6) in force at 24.6.2013 by [S.S.I. 2013/195](#) , [arts. 2](#) , [3](#)

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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\(5\)\(b\)](#)