



# Children's Hearings (Scotland) Act 2011

## 2011 asp 1

### PART 15

#### APPEALS

##### *Requirement imposed on local authority: review and appeal*

#### **167 Appeals to sheriff principal: section 166**

- (1) A local authority may appeal by stated case to the sheriff principal against—
  - (a) the determination by the sheriff under section 166(6) of which local authority is the relevant local authority for a child,
  - (b) the making of an order by the sheriff under section 166(8)(b).
- (2) A person mentioned in subsection (3) may appeal by stated case to the sheriff principal against the determination by the sheriff under section 166(6) of which local authority is the relevant local authority for a child.
- (3) The persons are—
  - (a) the child to whom the determination relates,
  - (b) a person representing that child,
  - (c) a relevant person in relation to that child,
  - (d) a person representing that person.
- (4) An appeal under this section must be made before the expiry of the period of 28 days beginning with the day on which the determination or, as the case may be, order was made.
- (5) An appeal under this section may be made—
  - (a) on a point of law, or
  - (b) in respect of any procedural irregularity.
- (6) On determining an appeal under this section, the sheriff principal must remit the case to the sheriff for disposal in accordance with such directions as the court may give.
- (7) A determination of an appeal under this section is final.