



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 20

GENERAL

Interpretation

199 **Meaning of “child”**

- (1) In this Act, “child” means a person who is under 16 years of age (but subject to subsections (2) to (9)).
- (2) In paragraph (o) of section 67(2) and the other provisions of this Act in their application in relation to that paragraph, “child” means a person who is of school age.
- (3) Subsection (4) applies where a person becomes 16 years of age—
 - (a) after section 66 applies in relation to the person, but
 - (b) before a relevant event.
- (4) For the purposes of the application of this Act to the person, references in this Act to a child include references to the person until a relevant event occurs.
- (5) A relevant event is—
 - (a) the making of a compulsory supervision order in relation to the person,
 - (b) the notification of the person under section 68(3) that the question of whether a compulsory supervision order should be made in respect of the person will not be referred to a children's hearing, or
 - (c) the discharge of the referral.
- (6) Subsection (7) applies if—
 - (a) a compulsory supervision order is in force in respect of a person on the person's becoming 16 years of age, or
 - (b) a compulsory supervision order is made in respect of a person on or after the person becomes 16 years of age.

Status: This is the original version (as it was originally enacted).

- (7) For the purposes of the application of the provisions of this Act relating to that order, references in this Act to a child include references to the person until whichever of the following first occurs—
- (a) the order is terminated, or
 - (b) the person becomes 18 years of age.
- (8) Subsection (9) applies where a case is remitted to the Principal Reporter under section 49(7)(b) of the Criminal Procedure (Scotland) Act 1995.
- (9) For the purposes of the application of this Act to the person whose case is remitted, references in this Act to a child include references to the person until whichever of the following first occurs—
- (a) a children's hearing or the sheriff discharges the referral,
 - (b) a compulsory supervision order made in respect of the person is terminated, or
 - (c) the person becomes 18 years of age.