



# Children's Hearings (Scotland) Act 2011

## 2011 asp 1

### PART 5

#### CHILD ASSESSMENT AND CHILD PROTECTION ORDERS

##### *Variation or termination of order by sheriff*

#### **48 Application for variation or termination**

- (1) An application may be made by any of the following persons to the sheriff to vary a child protection order—
  - (a) the child in respect of whom the order is made,
  - (b) a relevant person in relation to the child,
  - (c) a person not falling within paragraph (b) who has (or recently had) a significant involvement in the upbringing of the child,
  - (d) the person who applied for the child protection order,
  - (e) the person specified in the child protection order under section 37(2)(a),
  - (f) the Principal Reporter,
  - (g) any other person prescribed by rules of court.
- (2) An application may be made by any of the persons mentioned in subsection (1)(a) to (g) (other than the Principal Reporter) to the sheriff to terminate a child protection order.
- (3) An application under this section may be made only—
  - (a) before the commencement of a children's hearing arranged under section 45 or 46, or
  - (b) if the children's hearing arranged under section 45 or 46 continues the child protection order (with or without variation), within 2 working days after the day on which the child protection order is continued.