
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 195 (C. 14)

CHILDREN AND YOUNG PERSONS

The Children's Hearings (Scotland) Act
2011 (Commencement No. 9) Order 2013

<i>Made</i>	- - - -	<i>6th June 2013</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>10th June 2013</i>
<i>Coming into force</i>	- -	<i>24th June 2013</i>

The Scottish Ministers make the following Order in exercise of the powers conferred by section 206(2) of the Children's Hearings (Scotland) Act 2011(1).

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Children's Hearings (Scotland) Act 2011 (Commencement No. 9) Order 2013 and comes into force on 24th June 2013.

(2) In this Order—

“the Act” means the Children's Hearings (Scotland) Act 2011; and

“the 1995 Act” means the Children (Scotland) Act 1995(2).

Appointed day

2.—(1) 24th June 2013 is the appointed day for the coming into force of all the provisions of the Act, so far as not then in force, for all purposes, other than those provisions specified in article 3.

3. The provisions of the Act referred to in article 2 are—

- (a) section 122 (children's advocacy services);
- (b) section 187 (Rehabilitation of Offenders Act 1974: treatment of certain disposals by children's hearings);
- (c) section 188 (criminal record certificates);
- (d) section 203(1) (consequential amendments and repeals) and paragraph 2(10) of schedule 5 (minor and consequential amendments) insofar as the amendment of the definition of

(1) 2011 asp 1.
(2) 1995 c.36.

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“children’s hearing” in section 93(1) (interpretation) of the 1995 Act has effect in relation to section 44 of that Act; and

- (e) section 203(2) and schedule 6 (repeals) insofar as they provide for—
 - (i) the repeal of provisions in the Rehabilitation of Offenders Act 1974⁽³⁾;
 - (ii) the repeal of section 44 of the 1995 Act; and
 - (iii) in the partial repeal of section 105(8) of the 1995 Act, the repeal of the word “44”.

St Andrew’s House,
Edinburgh
6th June 2013

AILEEN CAMPBELL
Authorised to sign by the Scottish Ministers

(3) 1974 c.53.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 24th June 2013 certain provisions of the Children’s Hearings (Scotland) Act 2011 (“the Act”).

Article 2 provides that, other than the provisions of the Act specified in article 3, all the provisions of the Act, so far as not then in force, are to come into force for all purposes on the appointed day, 24th June 2013.

Article 3 provides that the provisions of the Act which are not brought into force are sections 122 (children’s advocacy services), 187 (rehabilitation of offenders), 188 (criminal record certificates) and section 203(2) (consequential amendments and repeals) and repeals in schedule 6 to the Act which relate to the Rehabilitation of Offenders Act 1974. Article 3(d) and (e)(ii) and (iii) provide that amendments and repeals related to section 44 of the Children (Scotland) Act 1995 are not brought into force.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The Children’s Hearings (Scotland) Act 2011 received Royal Assent on 6th January 2011 and Part 20 (other than section 203) came into force on that day. The provisions of the Act commenced by earlier commencement orders are detailed in the table below.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Section 1 and schedule 1, paragraph 8(7)	19th January 2011	2011/8
Sections 2, 3 (partially), 10, 11, 12, 13 and schedule 1, paragraphs 1 to 7, 8(1) to (6) and (8) to (10), 9, 11, 15(1) to (5), 16, 17(1) and 18 to 25	18th April 2011	2011/111
Section 191 (partially)	31st January 2012 and 26th March 2012	2012/1
Section 203(1) (partially) and schedule 5, paragraph 1(8)(a) and (b)	31st January 2012	2012/1
Section 32	13th February 2012	2012/23
Section 3 (partially), section 4 (partially), schedule 1, paragraphs 10(1), 10(3) and 10(6), 12(1) to (3) and (7), 13(1) to (4) and (7) and 14(2) and (6) to (8) and schedule 2, paragraphs 1(1) and 4	19th September 2012	2012/246
Paragraph 10(2)(a) of schedule 1	19th September 2012	2012/252
Sections 3 (partially), 4 (partially), 6 and schedule 1, paragraphs 10(2)(b), 10(4), 10(5) and 10(7) to (9), 12(4) to (6), 14(1) and (3) to	31st March 2013	2013/98

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
(5) and 17(2) and schedule 2, paragraphs 1(2) to (6) and 3		
Section 203(1) (partially) and schedule 5, paragraph 2(8) (partially).	12th June 2013	2013/190