

## SCHEDULE 1

### MODIFICATION OF PRIMARY LEGISLATION

#### **Foster Children (Scotland) Act 1984**

- 5.**—(1) The Foster Children (Scotland) Act 1984<sup>(1)</sup> is amended as follows.
- (2) In section 7 (circumstances in which persons disqualified from keeping foster children)<sup>(2)</sup>—
- (a) in subsection (1), after paragraph (b) insert—
- “**(ba)** by virtue of a compulsory supervision order or an interim compulsory supervision order, a child was removed from the person’s care;”; and
- (b) after subsection (4), insert—
- “(5) In this section, “compulsory supervision order” and “interim compulsory supervision order” have the meanings given by sections 83 and 86 of the Children’s Hearings (Scotland) Act 2011 (asp 1).”.
- (3) In section 13 (search warrants)<sup>(3)</sup>—
- (a) for “55 of the Children (Scotland) Act 1995” substitute “36 of the Children’s Hearings (Scotland) Act 2011 (asp 1)”; and
- (b) for “(1)(a)” substitute “(2)(a)”.
- (4) In section 21(1) (interpretation)<sup>(4)</sup>—
- (a) in the definition of “place of safety”, for “93(1) of the Children (Scotland) Act 1995 (c.36)” substitute “202(1) of the Children’s Hearings (Scotland) Act 2011 (asp 1)”; and
- (b) in the definition of “residential establishment”—
- (i) after “means” insert—
- “**(a)**”;  
and
- (ii) after “not” insert—
- “; or
- (b) a residential establishment as defined in section 202(1) of the Children’s Hearings (Scotland) Act 2011 (asp 1);”.

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(1) 1984 c.56.

(2) There are no relevant amendments to section 7.

(3) Section 13 was amended by the Children (Scotland) Act 1995 (c.36), Schedule 4, paragraph 35(6).

(4) Section 21(1) was relevantly amended by the Children (Scotland) Act 1995 (c.36), Schedule 4, paragraph 35(7)(a) and the Regulation of Care (Scotland) Act 2001 (asp 8), schedule 3, paragraph 12(3)(b).