



Children (Scotland) Act 1995

1995 CHAPTER 36

PART II

PROMOTION OF CHILDREN'S WELFARE BY LOCAL
AUTHORITIES AND BY CHILDREN'S HEARINGS ETC.

CHAPTER 2

CHILDREN'S HEARINGS

Conduct of proceedings at and in connection with children's hearing

47 Presumption and determination of age

- (1) Where a children's hearing has been arranged in respect of any person, the hearing—
 - (a) shall, at the commencement of the proceedings, make inquiry as to his age and shall proceed with the hearing only if he declares that he is a child or they so determine; and
 - (b) may, at any time before the conclusion of the proceedings, accept a declaration by the child, or make a fresh determination, as to his age.
- (2) The age declared to, or determined by, a children's hearing to be the age of a person brought before them shall, for the purposes of this Part of this Act, be deemed to be the true age of that person.
- (3) No decision reached, order continued, warrant granted or requirement imposed by a children's hearing shall be invalidated by any subsequent proof that the age of a person brought before them had not been correctly declared to the hearing or determined by them.