
STATUTORY INSTRUMENTS

1996 No. 2203

**The Children (Scotland) Act 1995 (Commencement
No.2 and Transitional Provisions) Order 1996**

Transitional provisions

6. Until the coming into force of sections 52 and 69 of the Act, and without prejudice to the then operation of section 17(2)(b) of the Interpretation Act 1978—

- (a) the reference in section 54(1) to a condition in section 52(2)(a) to (h), (j), (k) or (l) of the Act being satisfied with respect to a child shall be construed as including a reference to a condition in section 32(2)(a) to (f), (gg) and (i) of the 1968 Act⁽¹⁾ being satisfied with respect to a child; and
- (b) the reference in section 54(3)—
 - (i) to compulsory measures of supervision shall be construed as including a reference to compulsory measures of care within the meaning of section 32 of the 1968 Act;
 - (ii) to arranging a children's hearing to consider the case of the child under section 69 of the Act shall be construed as including a reference to arranging a children's hearing to consider the case of the child under sections 43 and 44 of the 1968 Act; and
 - (iii) to the application of section 69(1) of the Act shall be construed as including a reference to the application of sections 43 and 44 of the 1968 Act as if the condition specified by the court under section 54(1) of the Act as read with paragraph (a) above were a ground of referral established in accordance with section 42(2) of the 1968 Act.

(1) In section 32(2), paragraphs (b) and (c) were substituted by the Children Act 1975, Schedule 3, paragraph 54(a); paragraph (d) was amended by the Children Act 1975, Schedule 3, paragraph 54(b); paragraph (dd) was added by the Children Act 1975, Schedule 3, paragraph 54(c); paragraph (gg) was inserted by the Solvent Abuse (Scotland) Act 1983 (c. 33), section 1 and paragraph (i) was added by the Health and Social Services and Social Security Adjudications Act 1983, section 8(1).

(2) Section 42 was amended by the Health and Social Services and Social Security Adjudications Act 1983, Schedule 2, paragraph 8 and the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985, section 25; section 42(2A) was inserted by the Criminal Justice (Scotland) Act 1980 (c. 62), Schedule 7, paragraph 21.