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| **Act of Sederunt (Child Care and Maintenance Rules) 1997**  **Statutory Instrument 1997 No. 291 (S.19)** | |
| **PART VIIIA APPLICATIONS FOR REVIEW BY LOCAL AUTHORITY**  **Applications lodged on or after 24 June 2013** | |
| **3.58A** | [**Review applications by local authority**](#r0358A) |
| **3.58B** | [**Hearing on application**](#r0358B) |

**Review applications by local authority**

**3.58A** (1) This Part of Chapter 3 applies to applications to the sheriff for a review under section 166(2) of the 2011 Act.

(2)  An application shall be made in Form 64A and must contain—

(a) the name and address of the local authority;

(b) the name of the child in respect of whom the duty was imposed and the child’s representative (if any);

(c) the name and address of any relevant person in relation to the child and such person’s representative (if any);

(d) the name and address of any safeguarder;

(e) the name and address of any curator *ad litem*;

(f) the name and address of any other party to the application;

(g) the name and address of any other local authority with an interest;

(h) the date and determination made and the place of the sheriff court which made the determination, or alternatively the date and decision made by the children’s hearing;

(i) the grounds for the making of the application;

(j) any reports, affidavits and productions upon which the applicant intends to rely.

**Hearing on application**

**3.58B** (1)  After lodging the application in terms of rule 3.58A, the sheriff clerk shall assign a date for hearing the application and shall issue a warrant to cite in Form 64B, which shall require any party to lodge answers if so advised within such time as the sheriff shall appoint.

(2)  Subject to the provisions of rule 3.3 (power to dispense with service on child), after the issue of the warrant to cite, the applicant shall forthwith give notice of the application by serving a copy and the warrant on the persons referred to in rule 3.58A.

(3)  At the hearing the sheriff may determine the application or allow such further procedure as the sheriff thinks fit.

(4)  The provisions of rule 3.51 shall apply to any order made under this Part.