In the field of civil justice, pending procedures and proceedings initiated before the end of the transition period will continue under EU law. The e-Justice Portal, on the basis of a mutual agreement with the UK, will maintain the relevant information related to the United Kingdom until the end of 2024.

Moving/settling abroad with children

Scotland

1 Under what circumstances may a parent lawfully remove the child to another state without the other parent's consent?

Either with specific consent from the Scottish courts or in circumstances where the other parent's consent isn't required (see answer to question 2 below)

2 Under what circumstances is the other parent's consent necessary for the child's removal to another state?

Consent by the other parent is necessary where the parent "for the time being has and is exercising" in relation to the child either of the following parental rights:

To have the child living with you or otherwise to regulate the child's residence.

If the child is not living with you to maintain personal relations and direct contact with the child on a regular basis.

3 If the other parent does not consent to the child's removal to another state, though it is necessary, how can the child be removed lawfully to another state?

(See answer to Question 1).

4 Do the same rules apply to temporary removal (e.g. holiday, healthcare etc.) and permanent removal? If applicable, please provide relevant consent forms.

Yes.

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