



Adoption and Children (Scotland) Act 2007

2007 asp 4

PART 1

ADOPTION

CHAPTER 2

THE ADOPTION PROCESS

Adoption records

38 Disclosure of information kept under relevant enactment

- (1) The Scottish Ministers may by regulations make provision for or in connection with the disclosure by adoption agencies to adopted persons and other persons of a description or descriptions specified in the regulations of information kept by virtue of a relevant enactment.
- (2) Regulations under subsection (1) may in particular include provision—
 - (a) in circumstances specified in the regulations, conferring discretion on adoption agencies as to whether to disclose or withhold information,
 - (b) specifying conditions which are to apply in relation to the disclosure of information, or information of a type so specified, to adopted persons of a description or descriptions so specified,
 - (c) specifying circumstances in which information should not be disclosed to adopted persons of a description or descriptions so specified,
 - (d) about the review of decisions of adoption agencies in connection with—
 - (i) the disclosure of information,
 - (ii) the conditions applicable to such disclosure.
- (3) In this section, “relevant enactment” means—
 - (a) section 37, or

Status: This is the original version (as it was originally enacted).

- (b) any other enactment (whether or not in force) which imposes a requirement (however expressed) to keep records relating to adoptions.