



Adoption and Children (Scotland) Act 2007

2007 asp 4

PART 1

ADOPTION

CHAPTER 1

THE ADOPTION SERVICE

The adoption service

5 Guidance

- (1) Subsection (2) applies where a local authority is carrying out its function under section 1 to continue to provide, or to provide, an adoption service or to secure the provision of such a service.
- (2) The local authority must have regard to any guidance given by the Scottish Ministers.
- (3) Guidance such as is mentioned in subsection (2) may, in particular, contain provision in relation to—
 - (a) how a local authority should assess (or reassess) the needs of a person for adoption support services,
 - (b) how the power conferred by section 9(1)(b) should be exercised,
 - (c) the classes of person in relation to whom that power should be exercised,
 - (d) how responsibility for the provision of an adoption service should be transferred from one local authority to another.
- (4) The Scottish Ministers may vary or revoke any guidance such as is mentioned in subsection (2).

Changes to legislation: There are currently no known outstanding effects for the Adoption and Children (Scotland) Act 2007, Section 5. (See end of Document for details)

Annotations:**Commencement Information**

- II** S. 5 in force at 28.9.2009 by [S.S.I. 2009/267](#), **arts. 1(2), 2** (with [arts. 3-21](#)) (as amended (7.5.2012) by [S.S.I. 2012/99](#), art. 2)

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