



Adoption and Children (Scotland) Act 2007

2007 asp 4

PART 1

ADOPTION

CHAPTER 6

ADOPTIONS WITH A FOREIGN ELEMENT

Adoptions from abroad: special restrictions

65 Imposition of extra conditions in certain cases

- (1) The Scottish Ministers may make regulations providing—
 - (a) for them to specify in the restricted list, in relation to any restricted country, a step which is not otherwise provided for by virtue of any enactment but which, by virtue of the arrangements between the United Kingdom and that country, the Scottish Ministers normally take in connection with the bringing in of a child where that country is concerned, and
 - (b) that, if such a step has been so specified in relation to a restricted country, one or more conditions specified in the regulations are to be met in respect of a child brought into the United Kingdom in either of the cases mentioned in section 62(2) (reading the reference there to the “relevant country” as being to the restricted country in question).
- (2) Those conditions are in addition to any provided for by virtue of—
 - (a) section 58, or
 - (b) any other enactment.
- (3) A person who brings, or causes another to bring, a child into the United Kingdom commits an offence if the person has not met any condition which the person is required to meet by virtue of subsection (1)(b).

Changes to legislation: There are currently no known outstanding effects for the Adoption and Children (Scotland) Act 2007, Section 65. (See end of Document for details)

- (4) Subsection (3) does not apply if the step specified in the restricted list in relation to any country had already been taken before the publication of the restricted list.
- (5) A person who commits an offence under subsection (3) is liable—
- (a) on summary conviction to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both,
 - (b) on conviction on indictment to imprisonment for a term not exceeding 12 months or a fine or both.
- (6) In this section, “restricted country” and “restricted list” have the same meanings as in section 62.

Annotations:

Commencement Information

I1 S. 65 in force at 1.9.2008 by [S.S.I. 2008/282](#), [art. 2](#)

Changes to legislation:

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