



# Adoption and Children (Scotland) Act 2007

2007 asp 4

## PART 1

### ADOPTION

#### CHAPTER 6

##### ADOPTIONS WITH A FOREIGN ELEMENT

###### *Overseas adoptions etc.*

#### 67 Meaning of “overseas adoption”

- (1) In this Act, “overseas adoption”—
  - (a) means an adoption of a description specified in regulations made by the Scottish Ministers (being a description of adoptions effected under the law of any country or territory outwith the British Islands), but
  - (b) does not include a Convention adoption.
- (2) The Scottish Ministers may by regulations prescribe the requirements that ought to be met by an adoption of any description effected after the coming into force of the regulations for it to be an overseas adoption for the purposes of this Act.
- (3) At any time when regulations under subsection (2) are in force, the Scottish Ministers must exercise their power under subsection (1) so as to secure that adoptions of any description effected after the coming into force of the regulations are not overseas adoptions for the purposes of this Act if they consider that such adoptions are not likely, within a reasonable time, to meet the requirements prescribed under subsection (2).
- (4) Regulations under subsection (1) may contain provision as to the manner in which evidence of any overseas adoption may be given.
- (5) In this section, “adoption” means the adoption of a child or of a person who was a child at the time the adoption was applied for.