



Adoption and Children (Scotland) Act 2007

2007 asp 4

PART 1

ADOPTION

CHAPTER 2

THE ADOPTION PROCESS

Restrictions on removal of children placed for adoption

20 Restrictions on removal: child placed for adoption with consent

- (1) Subsection (2) applies where—
 - (a) an adoption agency has placed a child for adoption with persons (“prospective adopters”), and
 - (b) each parent or guardian of the child has, in accordance with such provision as may be made by regulations by the Scottish Ministers, consented to the placement (whether or not each parent or guardian knows the identity of the prospective adopters).
- (2) A parent or guardian of the child must not remove the child from the care of the prospective adopters without the leave of—
 - (a) the adoption agency, or
 - (b) the appropriate court.
- (3) A person who removes a child in contravention of this section commits an offence and is liable on summary conviction to imprisonment for a term not exceeding 3 months or a fine not exceeding level 5 on the standard scale or both.

Changes to legislation: Adoption and Children (Scotland) Act 2007, Section 20 is up to date with all changes known to be in force on or before 28 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Modifications etc. (not altering text)

- C1** Pt. 1 Ch. 2 applied in part (28.9.2009) by [Adoptions with a Foreign Element \(Scotland\) Regulations 2009 \(S.S.I. 2009/182\)](#), regs. 1(1), **9(1)**
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Commencement Information

- I1** S. 20(1) in force at 20.4.2009 for specified purposes by [S.S.I. 2009/147](#), art. 2, **Sch.**
- I2** S. 20(1) in force at 28.9.2009 in so far as not already in force 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)
- I3** S. 20(2)(3) 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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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 14(3A) inserted by [2020 asp 16 s. 30\(5\)](#)
- s. 14(4A)-(4C) inserted by [2020 asp 16 s. 2\(2\)\(c\)](#)
- s. 84(5A)(5B) inserted by [2020 asp 16 s. 2\(3\)\(c\)](#)