

SCHEDULE 3

EXCLUSION OF SECTION 4(2)(a) AND (b) OF THE ACT

Adoption and fostering

6.—(1) Any question asked by or on behalf of any person for the purpose of assessing, investigating, reviewing or confirming the suitability of any person to—

- (a) adopt children in general or a child in particular;
- (b) foster children in general or a child in particular (whether as a foster carer or as a private fosterer); or
- (c) have a child or children placed with that person by virtue of section 70 of the Children (Scotland) Act 1995⁽¹⁾ or in terms of regulation 14 of the Fostering of Children (Scotland) Regulations 1996,

in the circumstances set out in sub-paragraph (2).

(2) The circumstances are that—

- (a) the question relates to the person whose suitability is being assessed, investigated, reviewed or confirmed; or
- (b) the question relates to a person over the age of 16 living in the same household as the person whose suitability is being assessed, investigated, reviewed or confirmed.

⁽¹⁾ 1995 c36.