
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 152

The Adoption Support Services and Allowances (Scotland) Regulations 2009

PART 1

General

Citation and commencement

1. These Regulations may be cited as the Adoption Support Services and Allowances (Scotland) Regulations 2009 and come into force on 28th September 2009.

Interpretation

2. In these Regulations—

“the Act” means the Adoption and Children (Scotland) Act 2007;

“adoption allowance” means an allowance payable in accordance with regulations 10 to 16;

“adoptive child” means—

- (a) a child who has been adopted or in respect of whom an applicant has given notice of their intention to adopt under section 18 of the Act; or
- (b) a child whom an adoption agency has matched with a prospective adopter or placed for adoption;

“adoptive parent” means—

- (a) a person who has adopted a child or has given notice of their intention to adopt under section 18 of the Act; or
- (b) a person with whom an adoption agency has matched a child or has placed a child for adoption;

“foster carer” has the same meaning as in the Looked After Children (Scotland) Regulations 2009⁽¹⁾;

“income support” means income support under Part VII of the Social Security Contributions and Benefits Act 1992⁽²⁾;

“jobseeker’s allowance” has the same meaning as in the Jobseekers Act 1995⁽³⁾; and

“kinship carer” has the same meaning as in the Looked After Children (Scotland) Regulations 2009;

⁽¹⁾ S.S.I. 2009/[].

⁽²⁾ 1992 c. 4.

⁽³⁾ 1995 c. 18.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Notices to children

3.—(1) If the person to whom notice is to be given under these Regulations is a child under the age of 12 the notice must be given to the child's adoptive parent or to the adult that the local authority or registered adoption service consider most appropriate.

(2) If the person to whom notice is to be given is a child aged 12 or over but, in the opinion of the local authority or registered adoption service, that child is not of sufficient age and understanding for it to be appropriate to give that child such notice, the notice must be given to that child's adoptive parent or to the adult that the local authority or registered adoption service consider most appropriate.