
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 182

The Adoptions with a Foreign
Element (Scotland) Regulations 2009

PART 3

ADOPTIONS UNDER THE CONVENTION

CHAPTER 1

PROCEDURE IN SCOTLAND WHERE THE
UNITED KINGDOM IS THE RECEIVING STATE

Requirements following a Convention adoption order or a Convention adoption

35.—(1) Where a Convention adoption order is made by a court in Scotland, the court must send a copy of the order to the Central Authority.

(2) On receipt of a copy of the order under paragraph (1), the Central Authority must issue a certificate in the form set out in Schedule 3 certifying that the adoption has been made in accordance with the Convention.

(3) A copy of the certificate issued under paragraph (2) must be sent to—

- (a) the CA of the State of origin;
- (b) the adoptive parents; and
- (c) the adoption agency and, if different, the relevant local authority.

(4) Where a Convention adoption is made and the Central Authority receives a certificate under Article 23(1) of the Convention in respect of that Convention adoption, the Central Authority must send a copy of that certificate to—

- (a) the adoptive parents; and
- (b) the adoption agency and, if different, the relevant local authority.

(1) Article 23 of the Convention provides that an adoption certified by the competent authority of the State of the adoption as having been made in accordance with the Convention shall be legally recognised by other contracting States. The certificate must specify when and by whom the agreement that that the adoption could proceed was given.