
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 182

The Adoptions with a Foreign
Element (Scotland) Regulations 2009

PART 3

ADOPTIONS UNDER THE CONVENTION

CHAPTER 2

PROCEDURE IN SCOTLAND WHERE THE
UNITED KINGDOM IS THE STATE OF ORIGIN

Function of the adoption panel in assessing the child

42.—(1) The adoption panel must consider the case of the child and make a recommendation to the adoption agency as to whether adoption by a person, or a relevant couple, habitually resident in a Convention country outwith the British Islands is in the best interests of the child.

- (2) In considering what recommendation to make under paragraph (1), the adoption panel must—
- (a) have regard to the duties imposed on an adoption agency by section 14 of the Act (considerations applying to the exercise of powers);
 - (b) take into account all the information and reports passed to it under regulation 41;
 - (c) request the adoption agency to obtain any other relevant information which the panel considers necessary; and
 - (d) obtain such legal advice in relation to the case as may be necessary.