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SCOTTISH STATUTORY INSTRUMENTS

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**2009 No. 267**

**The Adoption and Children (Scotland) Act  
2007 (Commencement No. 4, Transitional  
and Savings Provisions) Order 2009**

**PART III**

**TRANSITIONAL AND SAVINGS PROVISIONS**

**CHAPTER 3**

**PARENTAL RESPONSIBILITIES ORDERS**

**Applications to vary, amend or revoke a deemed permanence order**

**15.**—(1) This article applies where a child is subject to a permanence order by virtue of article 13(1) or 14(2) and an application to vary, amend or revoke the permanence order is made under section 92 (variation of ancillary provisions in order), 93 (amendment of order to grant authority for child to be adopted) or 98 (revocation) of the Act.

(2) Section 92 of the Act applies as if for paragraph (d) of subsection (3) there were substituted—

“(d) any person in whom were vested any parental responsibilities or parental rights which, by virtue of the making of a parental responsibilities order in respect of the child, vest in a local authority.”.

(3) Section 93 of the Act applies as if for paragraph (b) in subsection (6) in the definition of “parent” there were substituted—

“(b) who, by virtue of the making of a parental responsibilities order, no longer has any such responsibilities or rights.”.

(4) In section 94 (proceedings) of the Act—

(a) for the purposes of subsection (1) the reference to any person who is affected by the order includes any person in whom were vested any parental responsibilities or parental rights which, by virtue of the making of a parental responsibilities order in respect of the child, vest in a local authority;

(b) subsection (3) applies as if for paragraph (e) there were substituted—

“(e) any person in whom were vested any parental responsibilities or parental rights which, by virtue of the making of a parental responsibilities order in respect of the child, vest in a local authority.”.

(5) For the purposes of section 98(2)(b) of the Act the reference to any other person affected by the order includes any person in whom were vested any parental responsibilities or parental rights which, by virtue of the making of a parental responsibilities order in respect of the child, vest in a local authority.