
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 268

The Adoption (Disclosure of Information and Medical Information about Natural Parents) (Scotland) Regulations 2009

PART 3

DISCLOSURE OF MEDICAL INFORMATION ABOUT NATURAL PARENTS

Application

- 9.** Part 3 applies subject to—
- (a) Part 2; and
 - (b) the 2009 Regulations.

No automatic right of access to information

10. Neither the relevant child nor the adoptive parents of the relevant child have an automatic right to access information about the health of the natural parents of the relevant child⁽¹⁾.

Disclosure of medical information about natural parents

11.—(1) Where an adoption agency has not been able to obtain the information specified in paragraph 13 of Part III of schedule 1 to the 2009 Regulations⁽²⁾, (whether there is any history of genetically transmissible or other significant disease in the family history of either the father's or mother's family) a registered medical practitioner holding any such information must disclose it to the adoption agency when requested to do so.

(2) Any information disclosed to an adoption agency under this regulation must be placed on the case record relating to an adopted child.

(3) Any information disclosed to an adoption agency under this regulation must be treated by that agency as confidential.

⁽¹⁾ “Relevant child” is defined in section 74(1) of the Act.

⁽²⁾ Part III of Schedule 1 is introduced by regulation 12(2)(c) (Duties of adoption agencies when considering adoption for a child) of the 2009 Regulations.