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SCOTTISH STATUTORY INSTRUMENTS

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**2009 No. 284**

**Act of Sederunt (Sheriff Court Rules Amendment)  
(Adoption and Children (Scotland) Act 2007) 2009**

**Revocation, savings and transitional provision**

4.—(1) Subject to subparagraphs (2) to (7), the following provisions of Chapter 2 (adoption of children) of the Act of Sederunt (Child Care and Maintenance Rules) 1997<sup>(1)</sup> are revoked—

(a) in Part 1—

(i) in rule 2.1 (interpretation), the definitions of “the 2002 Act” and “adoption agency”;  
and

(ii) rules 2.3 (intimation to principal reporter) and 2.4 (timetables under section 25A of the Act); and

(b) Parts II to V<sup>(2)</sup>.

(2) The provisions of Part II (applications for an order declaring a child free for adoption) as they applied immediately before 28th September 2009 shall continue to have effect for the purpose of any application for a freeing order under section 18 of the 1978 Act made and not yet determined before that date.

(3) The provisions of Part III (revocation etc. of a freeing order) as they applied immediately before 28th September 2009 shall continue to have effect for the purpose of any application under section 20 of the 1978 Act made before 28th September 2010.

(4) The provisions of Part IV (adoption orders) as they applied immediately before 28th September 2009 shall continue to have effect for the purpose of any application for—

(a) an adoption order under section 14 or 15 of the 1978 Act made and not yet determined before that date;

(b) leave under section 28 or an order under section 29 of that Act made in an application mentioned in paragraph (a); or

(c) an order under section 49 of that Act made and not yet determined before that date.

(5) The provisions of Part IVA (convention adoption orders) and Part IV as applied by Part IVA as they applied immediately before 28th September 2009 shall continue to have effect for the purpose of any application for a Convention adoption order under section 17 of the 1978 Act made and not yet determined before that date.

(6) The provisions of Part V (parental responsibilities orders) as they applied immediately before 28th September 2009 shall continue to have effect for the purpose of any application for a parental responsibilities order made and not yet determined before that date.

(7) The provisions of Part I (general) shall continue to have effect as they did immediately before 28th September 2009 to the extent that they are required for the purposes of subparagraphs (2) to (6).

(8) In this paragraph, “the 1978 Act” means the Adoption (Scotland) Act 1978<sup>(3)</sup>.

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(1) S.I. 1997/291, amended by S.S.I. 2005/190, 2006/75 and 2007/468.

(2) Part IVA was inserted by S.S.I. 2003/44.

(3) 1978 c.29.

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

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