
Status: This is the original version (as it was originally enacted).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

SCHEDULES

SCHEDULE 3

CONSEQUENTIAL AMENDMENTS

PART II

AMENDMENTS EXTENDING ONLY TO SCOTLAND

Adoption Act 1958 (7 & 8 Eliz. 2 c. 5)

- 27 In section 22(4A) of the Adoption Act 1958, in paragraph (b) after the word " 1975 " there are inserted the words " or under section 3 of the Adoption Act 1976 ".
- 28 In section 29(2) of the said Act of 1958 after the word " 1975 " there are inserted the words " or the Adoption Act 1976 ".
- 29 In section 34 of the said Act of 1958 the following subsections are added after subsection (3)—
- “(4) This section, except subsection (3), applies notwithstanding that the child is in England or Wales at the time he is removed.
- (5) Any person who removes a child from the custody of any other person while the child is in Scotland, contrary to section 27 of the Adoption Act 1976, shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding 3 months or a fine not exceeding £400 or both.”
- 30 In section 34A of the said Act of 1958 the following subsections are inserted after subsection (6)—
- “(6A) This section, except subsection (6), applies notwithstanding that the child is in England or Wales at the time he is removed.
- (6B) Any person who removes a child from the custody of any other person while the child is in Scotland, contrary to section 28 of the Adoption Act 1976, shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding 3 months or a fine not exceeding £400 or both.”
- 31 In section 37 of the said Act of 1958, the following subsection is inserted after subsection (1)—
- “(2) A child shall be deemed to be a protected child within the meaning of this Part of this Act if he is a protected child within the meaning of section 32(1) of the Adoption Act 1976.”
- 32 In section 52(1) of the said Act of 1958, after the word " 1975 " there are inserted the words " or section 55 of the Adoption Act 1976 ".

Status: This is the original version (as it was originally enacted).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

33 In section 57 of the said Act of 1958 the following subsection is inserted after subsection (1)—

“(1A) In sections 22, 29, 34 to 37 and 40(4) of this Act—

- (a) " adoption agency " includes an adoption agency within the meaning of section 1 of the Adoption Act 1976,
- (b) except in sections 34 and 34A " adoption order" includes an order under section 12 of the Adoption Act 1976,
- (c) " local authority " includes the council of a county (other than a metropolitan county), a metropolitan district, a London borough or the Common Council of the City of London.”