

Adoption (Scotland) Act 1978

CHAPTER 28

ADOPTION (SCOTLAND) ACT 1978

PART I

THE ADOPTION SERVICE

The Adoption Service

- 1 Establishment of Adoption Service
- 2 Local authorities' social work

Adoption societies

- 3 Approval of adoption societies
- 4 Withdrawal of approval
- 5 Procedure on refusal to approve, or withdrawal of approval from, adoption societies

Welfare of children

- 6 Duty to promote welfare of child
- 7 Religious upbringing of adopted child

Supplemental

- 8 Inactive or defunct adoption societies
- 9 Regulation of adoption agencies
- 10 Inspection of books, etc., of approved adoption societies
- 11 Restriction on arranging adoptions and placing of children

PART II

ADOPTION ORDERS

The making of adoption orders

- 12 Adoption orders
- 13 Child to live with adopters before order made
- 14 Adoption by married couple
- 15 Adoption by one person
- 16 Parental agreement
- 17 Convention adoption orders

Freeing for adoption

- 18 Freeing child for adoption
- 19 Progress reports to former parent
- 20 Revocation of s. 18 order
- 21 Transfer of parental rights and duties between adoption agencies

Supplemental

- 22 Notification to local authority of adoption application
- 23 Reports where child placed by agency
- 24 Restrictions on making adoption orders
- 25 Interim orders
- 26 Care etc. of child on refusal of adoption order

PART III

CARE AND PROTECTION OF CHILDREN AWAITING ADOPTION

Restrictions on removal of children

- 27 Restrictions on removal where adoption agreed or application made under s. 18
- 28 Restrictions on removal where applicant has provided home for 5 years
- 29 Return of child taken away in breach of s. 27 or 28
- 30 Return of children placed for adoption by adoption agencies
- 31 Application of s. 30 where child not placed for adoption

Protected children

- 32 Meaning of " protected child "
- 33 Duty of local authorities to secure well-being of protected children
- 34 Removal of protected children from unsuitable surroundings
- 35 Notices and information to be given to local authorities
- 36 Offences relating to protected children
- 37 Miscellaneous provisions relating to protected children

PART IV

STATUS OF ADOPTED CHILDREN

- 38 Meaning of " adoption order " in Part IV
- 39 Status conferred by adoption
- 40 Citizenship
- 41 Miscellaneous enactments
- 42 Pensions
- 43 Insurance
- 44 Effect of s. 39 on succession and inter vivos deed

PART V

REGISTRATION AND REVOCATION OF ADOPTION ORDERS AND CONVENTION ADOPTIONS

- 45 Adopted Children Register
- 46 Revocation of adoptions on legitimation
- 47 Annulment etc. of overseas adoptions
- 48 Provisions supplementary to ss. 46(2) and 47

PART VI

MISCELLANEOUS AND SUPPLEMENTAL

- 49 Adoption of children abroad
- 50 Restriction on removal of children for adoption outside Great Britain
- 51 Prohibition on certain payments
- 52 Restriction on advertisements
- 53 Effect of determination and orders made in England and Wales and overseas in adoption proceedings
- 54 Evidence of adoption in England, Wales and Northern Ireland
- 55 Evidence of agreement and consent
- 56 Courts
- 57 Proceedings to be in private
- 58 Curators ad litem and reporting officers
- 59 Rules of procedure
- 60 Orders, rules and regulations
- 61 Offences by bodies corporate
- 62 Service of notices etc.
- 63 Nationality
- 64 Internal law of a country
- 65 Interpretation
- 66 Transitional provisions, amendments and repeals
- 67 Short title, commencement and extent

SCHEDULES

SCHEDULE 1 — Registration of Adoptions

Registration of adoption orders

1 (1) Every adoption order shall contain a direction to the...

Registration of adoptions in England, Northern Ireland, the Isle of Man and the Channel Islands

2 (1) Where the Registrar General for Scotland is notified by...

Registration of overseas adoptions

3 If the Registrar General for Scotland is satisfied that an...

Amendment of orders and rectification of registers

4 (1) The court by which an adoption order has been...

Marking of entries on re-registration of birth

5 Without prejudice to any other provision of this Act where,...

Cancellations in registers on legitimation

- 6 Where an adoption order is revoked under section 46(1) the...
- 7 In this Schedule, "Registrar General" means the Registrar General...

SCHEDULE 2 — Transitional Provisions and Savings

General

- 1 In so far as anything done under an enactment repealed...
- 2 Where any period of time specified in an enactment repealed...
- 3 Nothing in this Act shall affect the enactments repealed by...
- 4 Any reference in any enactment or document, whether express or...

Existing adoption orders

5 (1) Without prejudice to paragraph 1, an adoption order made...

Payments relating to adoptions

6 Section 51(8), (9) and (10) shall not have effect if,...

Registers of adoptions

7 Any register or index to a register kept under the...

Commencement of Act

8 An order under section 67(2) may make such transitional provision...

SCHEDULE 3 — Consequential Amendments

Children Act 1958 (c. 65)

- 1 In section 2 of the Children Act 1958, for subsection...
- 2 In section 6(1)(f) of the said Act of 1958, for...
- 3 In section 17 of the said Act of 1958, for...

Succession (Scotland) Act 1964 (c. 41)

- 4 In section 23 of the Succession (Scotland) Act 1964, in...
- 5 In section 37(1) of the said Act of 1964, for...

Legitimation (Scotland) Act 1968 (c. 22)

- 6 In section 6(2) of the Legitimation (Scotland) Act 1968, for...
- 7 In section 6(3) of the said Act of 1968, for...

Social Work (Scotland) Act 1968 (c. 49)

- 8 In section 2(2) of the Social Work (Scotland) Act 1968,...
- 9 In section 5(2)(c) of the said Act of 1968, for...
- 10 In section 6(1)(b) of the said Act of 1968—
- 11 In section 10(1) of the said Act of 1968, for...

- 12 In section 10(3A) of the said Act of 1968, for...
- 13 In section 16(3) and (11)(b) of the said Act of...
- 14 In section 16(11)(a) of the said Act of 1968, for...
- 15 In section 18(4A) of the said Act of 1968, for...

Children Act 1975 (c. 72)

- 16 In section 47(5) of the Children Act 1975, for the...
- 17 In section 103(1)(a) of the said Act of 1975, for...
- 18 In section 105 of the said Act of 1975, after...
- 19 In section 107(1) of the said Act of 1975, in...

SCHEDULE 4 — Repeals