



Adoption (Scotland) Act 1978

1978 CHAPTER 28

PART IV

STATUS OF ADOPTED CHILDREN

38 Meaning of “adoption order”: in Part IV.

(1) In this Part “adoption order” means—

- (a) an adoption order within the meaning of section 65(1);
 - (b) an adoption order under the ^{M1}Children Act 1975, the ^{M2}Adoption Act 1958, the ^{M3}Adoption Act 1950 or any enactment repealed by the Adoption Act 1950;
 - (c) an order effecting an adoption made in England, Wales, Northern Ireland, the Isle of Man or any of the Channel Islands;
 - [^{F1}(cc) a Convention adoption;]
 - (d) an “overseas adoption”: within the meaning of section 65(2); or
 - (e) any other adoption recognised by the law of Scotland;
- and cognate expressions shall be construed accordingly.

(2) The definition of adoption order includes, where the context admits, an adoption order which took effect before the commencement of the ^{M4}Children Act 1975.

Textual Amendments

- F1** S. 38(1)(cc) inserted (1.6.2003) by [Adoption \(Intercountry Aspects\) Act 1999 \(c. 18\), ss. 5\(1\), 18\(3\)](#) (with s. 17); [S.S.I. 2003/121, art. 2\(c\)](#)

Marginal Citations

- M1** 1975 c. 72.
M2 1958 c. 5 (7 & 8 Eliz. 2).
M3 1950 c. 26.
M4 1975 c. 72.

Changes to legislation:

Adoption (Scotland) Act 1978, Section 38 is up to date with all changes known to be in force on or before 12 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 50(4)(5) inserted by [2002 c. 38 s. 133\(1\)\(b\)](#)
- s. 56A restricted by [1999 c. 18 s. 16\(1\)](#)
- s. 65(2)-(2D) substituted for s. 65(2) by [2002 c. 38 s. 134](#)