

SCHEDULES

SCHEDULE 10

AMENDMENTS OF ADOPTION LEGISLATION

PART II

AMENDMENTS OF ADOPTION (SCOTLAND) ACT 1978 (c. 28)

37 For section 21 (transfer of parental rights and duties between adoption agencies) there shall be substituted—

“21 Variation of section 18 order so as to substitute one adoption agency for another

- (1) On an application to which this section applies an authorised court may vary an order under section 18 so as to transfer the parental rights and duties relating to the child from the adoption agency in which they are vested under the order (“the existing agency”) to another adoption agency (“the substitute agency”).
- (2) This section applies to any application made jointly by the existing agency and the would-be substitute agency.
- (3) Where an order under section 18 is varied under this section, section 19 shall apply as if the parental rights and duties relating to the child had vested in the substitute agency on the making of the order.”