

SCHEDULES

SCHEDULE 2

AMENDMENTS OF THE ADOPTION (SCOTLAND) ACT 1978

- 11 In section 18 (making and effect of orders freeing for adoption)—
- (a) in subsection (1), after the word “agency” insert “which is a local authority”;
 - (b) for subsection (5) substitute—
 - “(5) On the making of an order under this section, the parental responsibilities and parental rights in relation to the child are transferred to the adoption agency.”;
 - (c) for subsection (7) substitute—
 - “(7) Before making an order under this section in the case of a child whose father is not, and has not been, married to the mother and does not have any parental responsibilities or parental rights in relation to the child, the court shall satisfy itself in relation to any person claiming to be the father that—
 - (a) he has no intention of applying for, or, if he did so apply, it is likely that he would be refused, an order under section 11 of the Children (Scotland) 1995 Act (orders in relation to parental responsibilities and parental rights); and
 - (b) he has no intention of entering into an agreement with the mother under section 4(1) of that Act (acquisition by natural father by agreement of such responsibilities and rights), or, if he has such an intention, that no agreement under that subsection is likely to be made.”; and
 - (d) at the end add—
 - “(9) Where a court making an order under this section in relation to a child who is subject to a supervision requirement is satisfied that, in consequence of its doing so, compulsory measures of supervision in respect of the child are no longer necessary, it may determine that the child shall forthwith cease to be subject to that requirement.”.