

1989 No. 194 (S.20)

CHILDREN AND YOUNG PERSONS

**The Adoption Allowance Schemes (Scotland) Order
1989**

Made - - - - - *13th February 1989*

Coming into force *14th February 1989*

The Secretary of State, in exercise of the powers conferred on him by section 51(9) of the Adoption (Scotland) Act 1978(a) and all other powers enabling him in that behalf and having published a report(b) under section 51(7) of that Act, hereby makes the following Order, a draft of which has been laid before and approved by resolution of each House of Parliament:

Citation and commencement

1. This Order may be cited as the Adoption Allowance Schemes (Scotland) Order 1989 and shall come into force on 14th February 1989.

Repeals

2. Section 51(8) of the Adoption (Scotland) Act 1978 is hereby repealed.

St. Andrew's House, Edinburgh
13th February 1989

Michael B. Forsyth
Parliamentary Under Secretary of State,
Scottish Office

(a) 1978 c.28.

(b) Report by the Secretary of State for Scotland on the First Five Years' Operation of Adoption Allowance Schemes approved by him under section 51(5) of the Adoption (Scotland) Act 1978, which was published on 21st December 1988.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 51 of the Adoption (Scotland) Act 1978 prohibits the making of payments in connection with certain adoption procedures and arrangements. Subsection (5) of section 51 disapplies the provisions of that section where a scheme for payment has been submitted to the Secretary of State by an adoption agency and he has approved the scheme. Section 51(8) provides for subsection (5) to expire on the seventh anniversary of section 32 of the Children Act 1975 (c.72) coming into force unless the Secretary of State repeals subsection (8) prior to the said anniversary. (Section 32 of that Act was commenced on 15th February 1982 by the Children Act 1975 (Scotland) (Commencement No. 3) Order 1982 (S.I. 1982/33)).

The power to repeal subsection (8) is exercisable only in connection with the publication of a report on the operation of the said schemes under section 51(7). Copies of the Report referred to in the Order can be obtained free of charge from the Scottish Office Library, New St. Andrew's House, Edinburgh, EH1.

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