
STATUTORY INSTRUMENTS

1996 No. 3257

The Adoption Allowance (Scotland) Regulations 1996

Review, variation and termination of allowances

7.—(1) The adoption agency shall annually review payment of an allowance having first received from the adopters a statement setting out the adopters' address and whether the child still has a home with them (or either of them), the adopters' then current financial circumstances and the then current financial needs and resources of the child; but in any event the adoption agency shall review the payment of allowance if it learns of any material change in the circumstances of the adopters or the child, including any change of address of either.

(2) Subject to paragraph (6) where the adopters fail to supply the adoption agency with an annual statement in accordance with their agreement under regulation 3(4)(b), the adoption agency may suspend payment of an allowance until such time as a statement is supplied.

(3) The adoption agency may vary or suspend payment of the allowance if, as a result of a review, it considers that the adopters' need for it has changed or ceased since the amount of the allowance was last determined.

(4) Subject to paragraph (5) the adoption agency shall terminate payment of an allowance when—

- (a) the child ceases to have a home with the adopters (or either of them);
- (b) the child ceases full-time education and commences employment or qualifies for a placement on a Government training scheme;
- (c) the child qualifies for income support or a jobseeker's allowance in his own right;
- (d) the child attains the age of eighteen; or
- (e) any period agreed between the adoption agency and the adopters for the payment of the allowance expires.

(5) Notwithstanding paragraph (4)(d) the payment of an allowance may continue beyond a child attaining the age of eighteen for so long as the child continues in full time education and has not reached the age of twenty one.

(6) Where payment of allowance is suspended in terms of paragraph (2) the adoption agency may recommence payment and may pay arrears after a statement is supplied.