
STATUTORY INSTRUMENTS

1997 No. 291

Act of Sederunt (Child Care and Maintenance Rules) 1997

CHAPTER 2

ADOPTION OF CHILDREN

PART I

GENERAL

Interpretation

2.1 In this Chapter, unless the context otherwise requires—

“the Act” means the Adoption (Scotland) Act 1978(1);

“the 1995 Act” means the Children (Scotland) Act 1995(2);

“adoption agency” means a local authority or an approved adoption society;

“Her Majesty’s Forces” means the Royal Navy, the regular forces as defined by section 225 of the Army Act 1955(3), the regular air force as defined by section 223 of the Air Force Act 1955(4), the Queen Alexandra’s Royal Naval Nursing Service and the Woman’s Royal Naval Service; and

“Registrar General” means the Registrar General of Births, Deaths and Marriages for Scotland.

Expenses

2.2 The sheriff may make such an order with regard to the expenses, including the expenses of a reporting officer and a curator *ad litem* or any other person who attended a hearing, of an application under this Chapter as he thinks fit and may modify such expenses or direct them to be taxed on such scale as he may determine.

Intimation to Principal Reporter

2.3 Where in such proceedings as are referred to in subsection (2)(c) of section 54 of the 1995 Act (reference to the Principal Reporter by court) a matter is referred by the sheriff to the Principal Reporter under that section, the interlocutor making the reference shall be intimated by the sheriff clerk forthwith to the Principal Reporter; and that intimation shall specify which of the conditions in paragraph (2)(a) to (h), (j), (k) or (l) of section 52 of the 1995 Act it appears to the sheriff has been satisfied.

(1) 1978 c. 28.

(2) 1995 c. 36.

(3) 1955 c. 18.

(4) 1955 c. 19.

Timetables under section 25A of the Act

2.4 In proceedings in which such a timetable as is referred to in section 25A(a) of the Act (timetable for resolving question)(**5**) is required, the court shall draw up the timetable forthwith where—

- (a) there is presented a petition with a crave for the agreement of a parent or guardian to be dispensed with;
- (b) it appears to the court from a report by an adoption agency, local authority or reporting officer that a question as to dispensing with such agreement arises; or
- (c) such agreement previously given is withdrawn.

(5) Section 25A was inserted by the Children (Scotland) Act 1995, Schedule 2, paragraph 18.