
STATUTORY INSTRUMENTS

1997 No. 291

Act of Sederunt (Child Care and Maintenance Rules) 1997

CHAPTER 2

ADOPTION OF CHILDREN

PART IV

ADOPTION ORDERS

Final procedure

2.33.—(1) After the granting of an order under this Part the court process shall, immediately upon the communication under rule 2.31 being made or, in the event of an extract of the order being issued under rule 2.32, immediately upon the issue of such extract, be sealed by the sheriff clerk in an envelope marked “Confidential”.

(2) The envelope referred to in paragraph (1) shall not be unsealed by the sheriff clerk or any other person having control of the records of that or any court, and the process shall not be made accessible to any person, for one hundred years after the date of the granting of the adoption order except—

- (a) to an adopted child who has attained the age of sixteen years and to whose adoption the process refers;
 - (b) to the sheriff clerk, on an application made to him by an adoption agency and with the consent of the adopted person for the purpose only of ascertaining the name of the agency, if any, responsible for the placement of that person and informing the applicant of that name;
 - (c) to a person, on an application made by him to the sheriff setting forth the reasons for which access to the process is required;
 - (d) to a court, public authority or administrative board (whether in the United Kingdom or not) having power to authorise an adoption, on petition by it to the court which granted the original order requesting that information be made available from the process for the purpose of discharging its duties in considering an application for adoption and specifying the precise reasons for which access to the process is required; or
 - (e) to a person who is authorised by the Secretary of State to obtain information from the process for the purposes of such research as is intended to improve the working of adoption law and practice.
- (3) The sheriff clerk shall—
- (a) where an adoption order includes a determination under section 12(9) of the Act, intimate the making of that determination to the Principal Reporter; and
 - (b) where appropriate, intimate the making of an adoption order to the court by which an order freeing the child for adoption was made.