

These notes relate to the Adoption and Children (Scotland) Act 2007 (asp 4) which received Royal Assent on 15 January 2007

ADOPTION AND CHILDREN (SCOTLAND) ACT 2007

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Chapter 2

The Adoption Process

Section 32 - Consent of child aged 12 or over

141. By virtue of this section, an adoption order cannot be made in respect of a child who is aged 12 or over unless the child consents, except where the court is satisfied that the child is incapable of consenting. Only where the court is of the opinion that the child aged 12 or over is incapable of giving his or her consent can this be dispensed with. The views of children should be considered in accordance with section 14.